

DATE: October 8, 2013
TO: Honorable Mayor & City Council
FROM: Chris Caso, Chairman, Planning & Zoning Commission
SUBJECT: Results of Planning & Zoning Commission Meeting of October 7, 2013

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2013-29
APPLICANT: HERITAGE FARMSTEAD MUSEUM**

Request to amend Heritage Resource Designation #1 (Ammie Wilson House) on one lot on 4.1± acres located at the southeast corner of Pitman Drive and 15th Street to allow a reduced front yard building setback from Gardengrove Court. Zoned Single-Family Residence-9 with Heritage Resource Designation #1.

APPROVED: 7-0 **DENIED:** _____ **TABLED:** _____

LETTERS RECEIVED WITHIN 200 FOOT NOTICE AREA: **SUPPORT:** 1 **OPPOSE:** 2

LETTERS RECEIVED OUTSIDE 200 FOOT NOTICE AREA: **SUPPORT:** 0 **OPPOSE:** 1

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

STIPULATIONS:

Recommended for approval as submitted subject to a minimum 16-foot building setback on Gardengrove Court.

FOR CITY COUNCIL MEETING OF: October 28, 2013 (To view the agenda for this meeting, see www.planotx.org)

PUBLIC HEARING - ORDINANCE

BM/av

xc: M'Lou Hyttinen, Heritage Farmstead Museum
Cliff Bormann, Permit Services Manager

CITY OF PLANO
PLANNING & ZONING COMMISSION

October 7, 2013

Agenda Item No. 6

Public Hearing: Zoning Case 2013-29

Applicant: Heritage Farmstead Museum

DESCRIPTION:

Request to amend Heritage Resource Designation #1 (Ammie Wilson House) on one lot on 4.1± acres located at the southeast corner of Pitman Drive and 15th Street to allow a reduced front yard building setback from Gardengrove Court. Zoned Single-Family Residence-9 with Heritage Resource Designation #1.

REMARKS:

The subject property is located at the southeast corner of Pitman Drive and 15th Street and is the site of the Ammie Wilson House. The structure was constructed circa 1890 and designated as a heritage resource in 1982. At that time, the heritage resource designation allowed for additional uses such as incidental retail sales, museum, periodic fund raising activities, related charitable and/or education activities, and incidental office uses.

The Young House was originally constructed in 1886 and located in the area of State Highway 121 and Independence Parkway before being relocated to the Heritage Farmstead Museum site in 2001. The house originally had an approximately 13'0" x 20'0" rear addition that was not moved and later demolished.

Heritage Resource Designation

The heritage resource designation process allows owners of heritage resource properties to request additional permitted uses and modifications to the development regulations for the site that are otherwise prohibited by the property's base zoning in order to better protect the resource. Upon a favorable recommendation from the Heritage Commission, a zoning case is initiated for consideration by the Planning & Zoning Commission and City Council. Therefore, the heritage resource designation is considered a zoning action and any additional uses or modifications to the development regulations granted for the site stay with the property regardless of ownership.

Request

The applicant is requesting to amend the property's heritage resource designation to allow a reduced front yard building setback from Gardengrove Court to construct a single story addition at the rear of the existing Young House building as shown on the attached site plan and architectural drawings. The proposed addition is currently not allowed per the Zoning Ordinance front yard building setback requirements of 30 feet for this zoning district.

The subject property is presently used as a museum and is zoned Single-Family Residence-9 (SF-9). Currently, the existing Young House is located 30 feet from the Gardengrove Court property line. Based on the historic photographs, the applicant proposes to reconstruct the historic addition that once existed on the rear of the Young House. The proposed addition, consisting of accessible restrooms and a catering kitchen, will require a reduced front yard building setback of 16 feet from the Gardengrove Court property line.

Surrounding Land Uses

Adjacent surrounding land uses and zoning districts include: to the north across 15th Street, existing retail zoned Planned Development-79-Retail (PD-79-R); to the west, across Pitman Drive, existing retail and bank zoned PD-79-R; to the south, across Gardengrove Court, single-family residences zoned Single-Family Residence-9 (SF-9); and to the east, across Pitman Creek, single-family residences zoned SF-9.

Land Use Compatibility and Preservation of Heritage Resource

Subsection 2.812 (SF-9 - Single-Family Residence-9) 3. (Area, Yard and Bulk Requirements) of the Zoning Ordinance requires a minimum front yard building setback of 30 feet. Furthermore, Subsection 3.504 (Front Yard Regulations) from the Zoning Ordinance lists "In the case of lots which are bounded on three sides by streets, all yards between the main building and a street shall be regulated as front yards unless a front, side, and rear building line have been established by plat." The subject property's current plat does not have established front, side, and rear building lines; therefore, a minimum 30 foot setback is required per the Zoning Ordinance for all property lines adjacent to streets.

The farmstead site is bounded by streets on three sides, Pitman Drive and 15th Street are considered and used as front yards; Gardengrove Court is used as a rear entrance and functions as a rear yard. If the rear property line is not adjacent to a street, the typical rear yard setback is 10 feet. Additionally, there is an existing 6'-6" tall masonry fence along Gardengrove Court property line. Therefore, the addition will not be visible from the north side of Gardengrove Court and will be minimally visible from the south side of Gardengrove Court (see attached sightline sketch).

The Secretary of the Interior's Standards recommend that a historic property be used for its historic purpose or for a new use that requires minimal change to the site. The Heritage Farmstead Museum has been operating as a museum and farm site for many years, while the existing Young House has been used to host meetings and events. The proposed Young House rear addition will provide accessible restrooms and a catering kitchen to enhance the facility rentals and event services which will potentially bring additional visitors to Plano. The museum would also be able to host large regional and national heritage conferences. Additionally, the museum will be able to reach new audiences that have been limited in the past due to accessibility issues.

The proposed addition does not alter the site and its use and is not substantially visible due to the existing 6'6" high masonry fence. Therefore, the requested heritage resource designation amendment to allow a reduced front yard building setback from Gardengrove Court is appropriate and compatible with the overall site and surrounding land uses.

HERITAGE COMMISSION ACTION

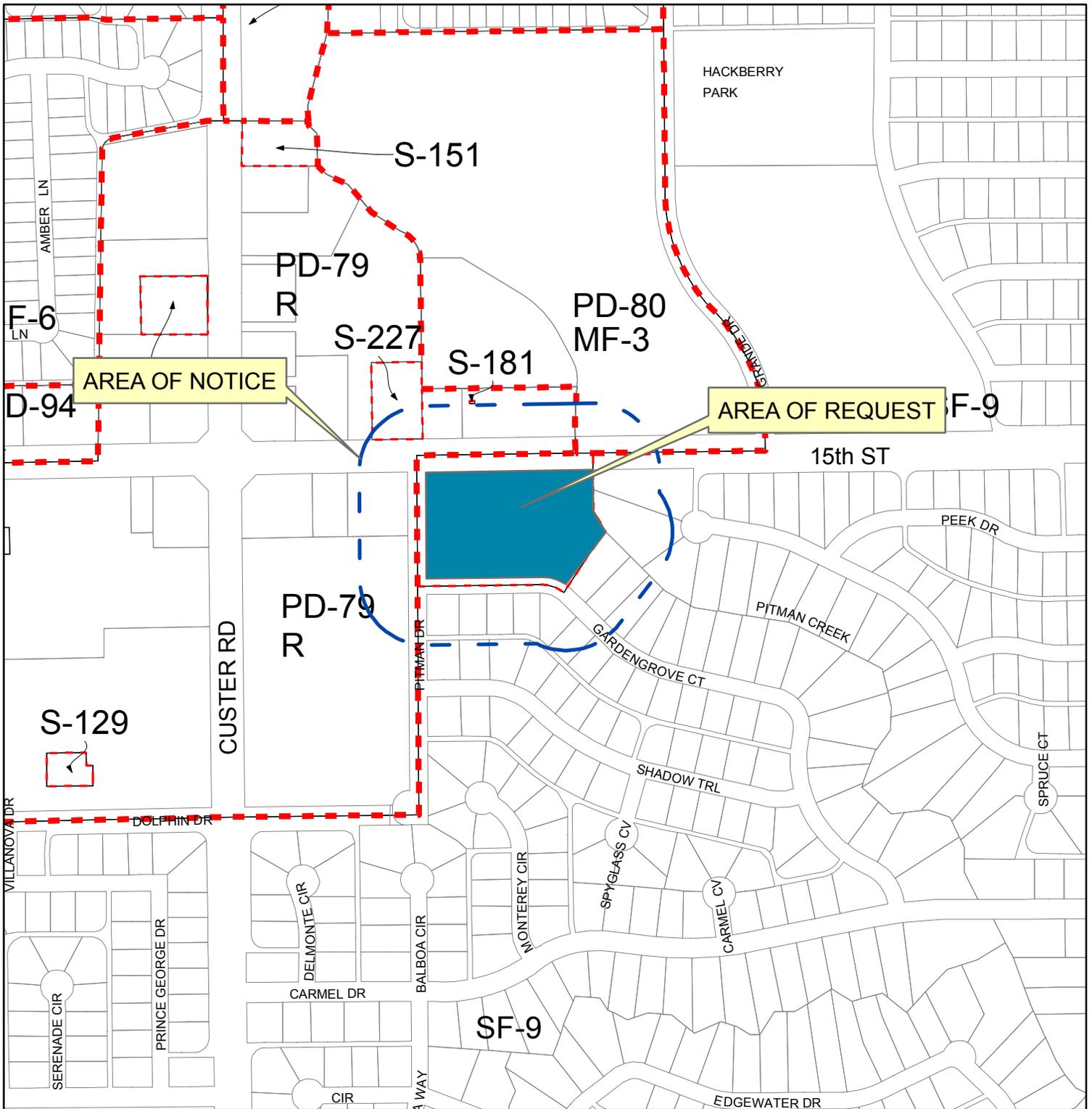
At its August 27, 2013 meeting, the Heritage Commission approved the heritage resource designation amendment request to allow reduced front yard building setback from Gardengrove Court with the following stipulation:

The new front yard building setback on Gardengrove Court shall be 16 feet.

The Heritage Commission stated that the requested reduced front yard building setback is appropriate to reconstruct the historic addition that once existed on the rear of the existing Young House. Additionally, the Commission believes that the proposed request is appropriate for continued preservation of this heritage resource while continuing to help the farmstead generate more revenue and visitation needed to promote historic preservation.

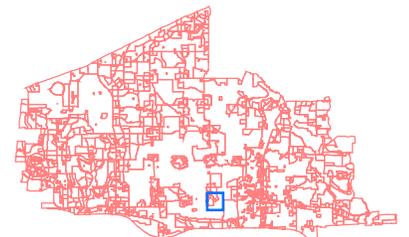
RECOMMENDATION:

The Heritage Commission recommends approval of the proposed heritage resource designation amendment to allow reduced front yard building setback from Gardengrove Court.



Zoning Case #: 2013-29

Existing Zoning: SINGLE-FAMILY RESIDENCE-9/
HERITAGE RESOURCE DESIGNATION #1



○ 200' Notification Buffer



Area of Request

15TH STREET

PITMAN DRIVE

GARDENGROVE COURT

SHADOW TRAIL

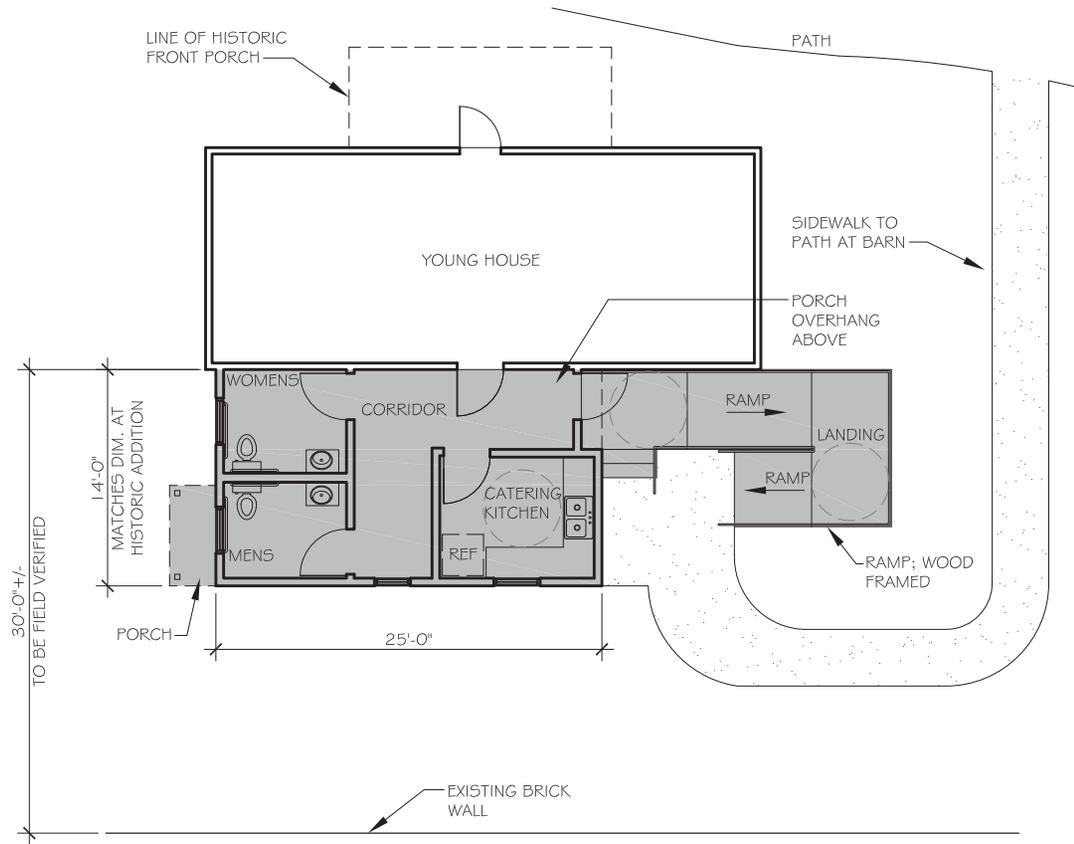
RIO GRANDE DRIVE



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

Zoning Case 2013-29

Attachment 2



FLOOR PLAN
SCALE: 1/8"=1'-0"



Quimby McCoy Preservation
Architecture, LLP
3200 Main Street #3.6
Dallas, Texas 75226
Ph: 214.977.9118

PLANO HERITAGE FARMSTEAD
1900 W. 15TH STREET
PLANO, TEXAS 75075

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

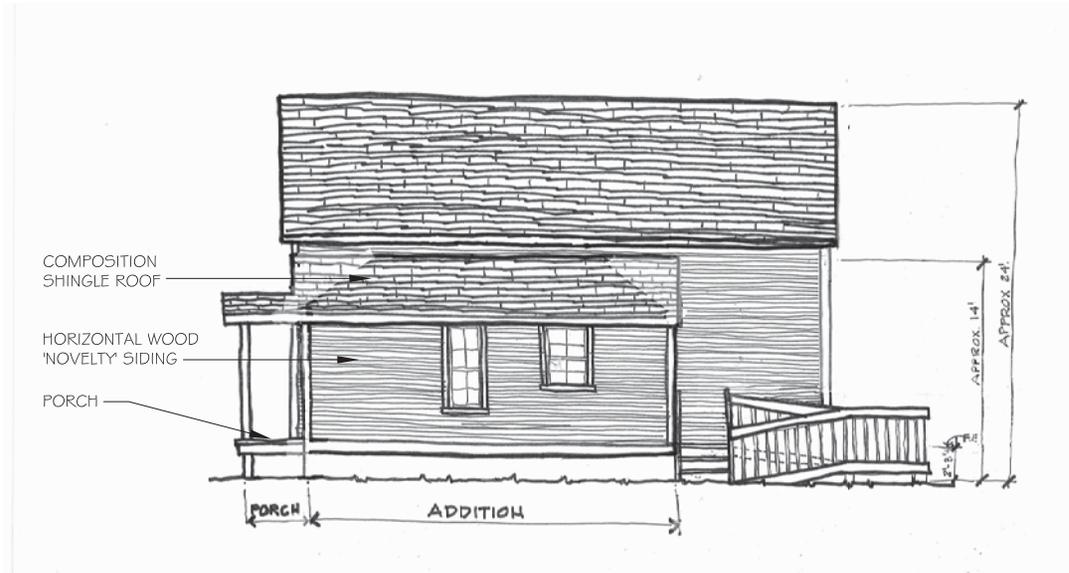
ADDITION TO THE
YOUNG HOUSE

08/01/2013 ^{95c}
date

A-1



Attachment 2 (Continued)



SOUTH ELEVATION



Quimby McCoy Preservation
Architecture, LLP
3200 Main Street #316
Dallas, Texas 75226
Ph: 214.977.9118

PLANO HERITAGE FARMSTEAD
1900 W. 15TH STREET
PLANO, TEXAS 75075

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION

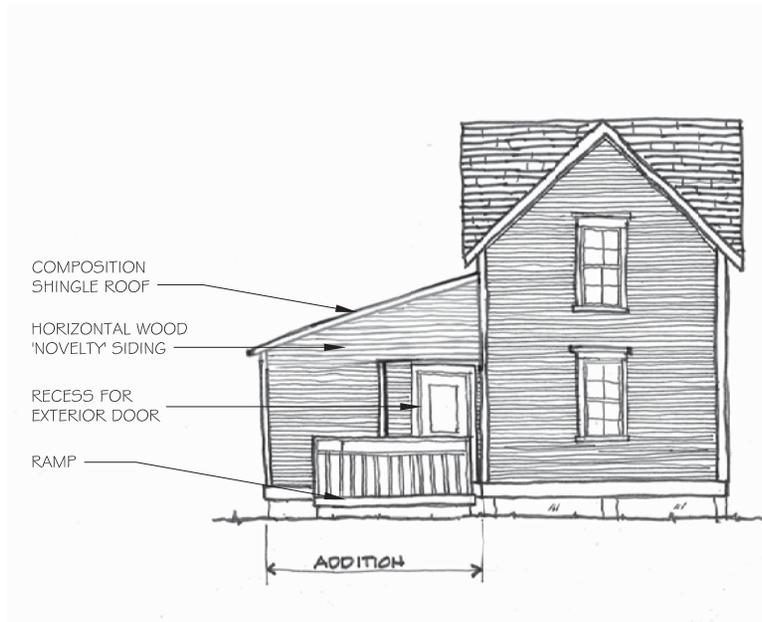
ADDITION TO THE
YOUNG HOUSE

08/01/2013 ^{95c}
date

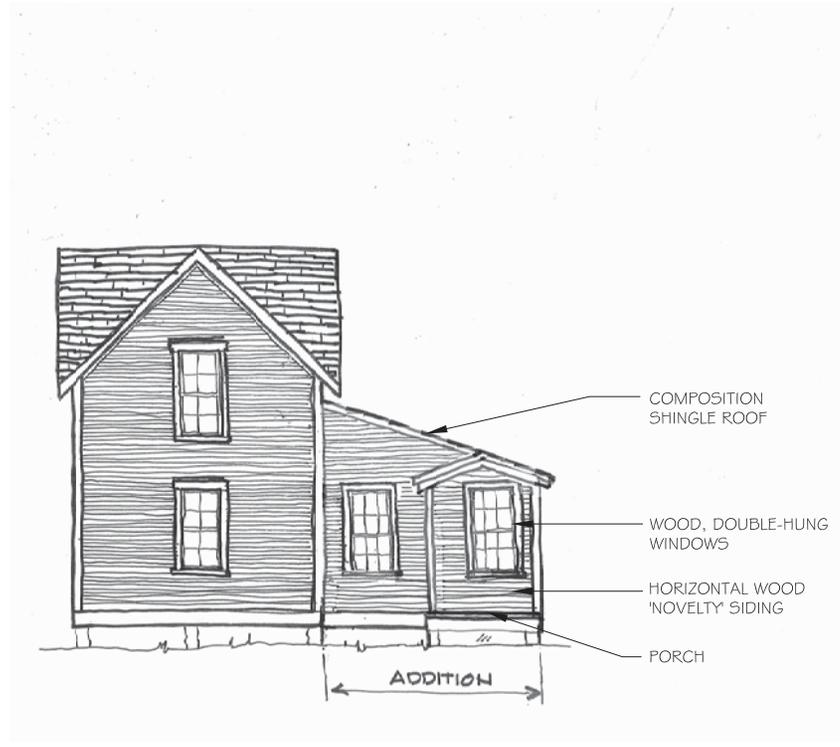
A-2



NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION



EAST ELEVATION



WEST ELEVATION

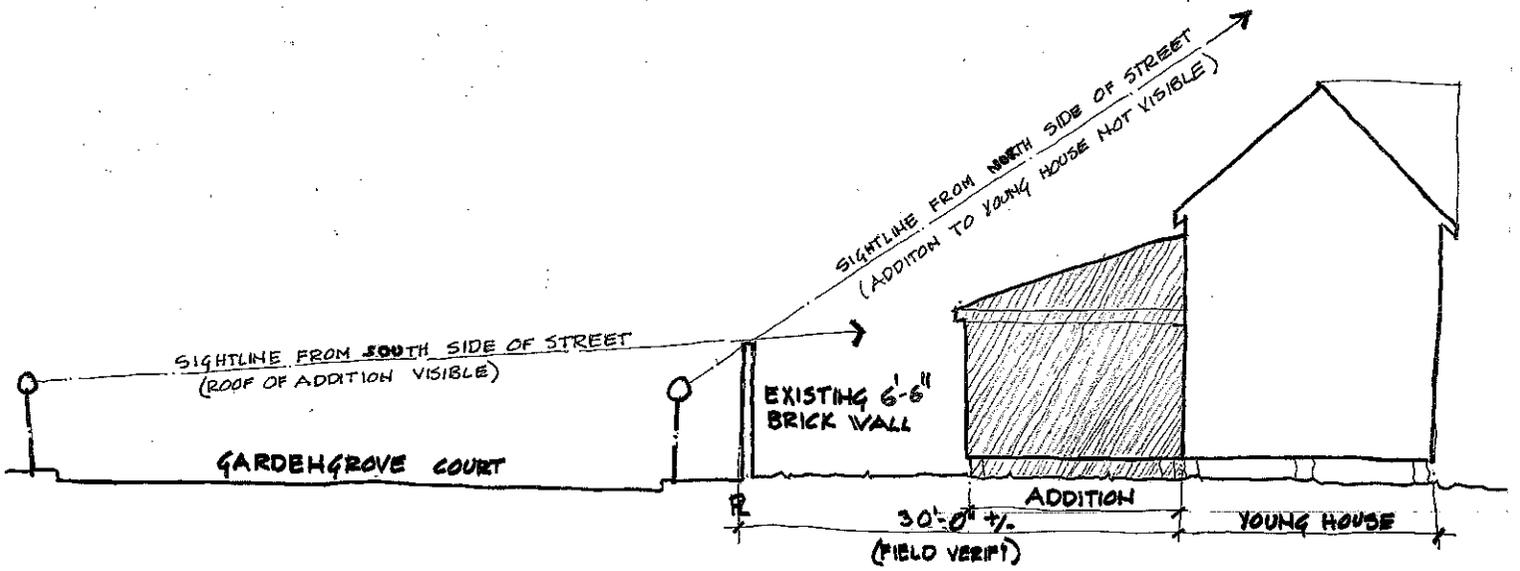


ADDITION TO THE
YOUNG HOUSE

08/01/2013 ^{SS}
date

A-3

Attachment 3 - Sightline Sketch



Zoning Case 2013-29

An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2006-4-24, as heretofore amended; amending Heritage Resource Designation No. H-1 to allow a minimum 16-foot front yard building setback from Gardengrove Court, located at the southeast corner of West 15th Street and Pitman Drive, and being more particularly described as Lot 1, Block A, Ammie Wilson Addition, an addition to the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-9 with Heritage Resource Designation H-1; directing a change accordingly in the official Zoning Map of the City; and providing a penalty clause, a repealer clause, a savings clause, a publication 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 28th day of October, 2013, for the purpose of considering a change in the Zoning Ordinance; 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 Heritage Commission considered this item on the 27th day of August, 2013, and recommended approval; and

WHEREAS, the Planning & Zoning Commission considered this item on the 7th day of October, 2013, and recommended approval; 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 28th day of October, 2013; and

WHEREAS, the City Council is of the opinion and finds that such change 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, amending Heritage Resource Designation No. H-1 to allow a minimum 16-foot front yard building setback from Gardengrove Court, being more particularly described as Lot 1, Block A, Ammie Wilson Addition, an addition to the City of Plano, Collin County, Texas, presently zoned

Single-Family Residence-9 with Heritage Resource Designation H-1; said property more fully described on the legal description in Exhibit "A" attached hereto.

Section II. That Heritage Resource Designation H-1 shall remain on Lot 1, Block A, Ammie Wilson Addition, an addition to the City of Plano, Texas according to the map a plat thereof recorded in Volume B, Page 176 and 177 of the Plat Records of Collin County, Texas, comprising 4.1± acres.

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

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

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

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

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

PASSED AND APPROVED THIS THE 28TH DAY OF OCTOBER, 2013.

Harry LaRosiliere, MAYOR

ATTEST:

Diane Zucco, CITY SECRETARY

APPROVED AS TO FORM:

Diane C. Wetherbee, CITY ATTORNEY

Zoning Case 2013-29

BEING a tract of land situated in the Solomon Fitzhugh Survey, Abstract No. 327, Collin County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the south line of Farm Road No. 544 (West 15th Street) and the east line of Pitman Drive;

THENCE South, $89^{\circ} 53' 30''$ East, 500.06 feet to a point for corner;

THENCE South, $00^{\circ} 06' 30''$ West, 130.00 feet to a point for corner;

THENCE South, $29^{\circ} 28' 10''$ East, 68.79 feet to the northwest corner of Lot 22, Block J of Pitman Creek Estates No. 2, an addition to the said City of Plano, as recorded in Volume B, Page 176 and 177 of the Collin County Map Records;

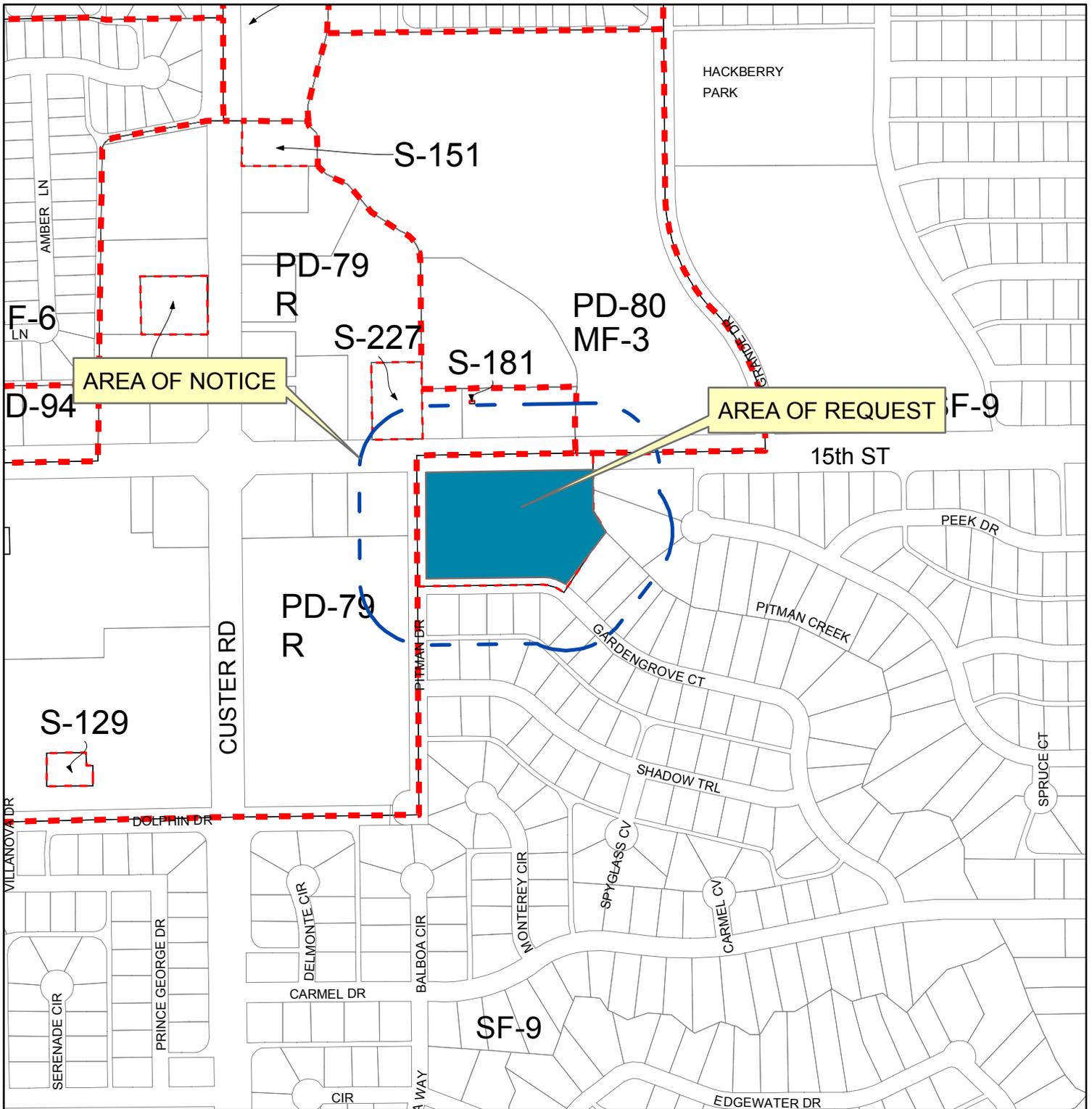
THENCE South, $37^{\circ} 14' 07''$ West, 217.51 feet along said Lot 22 to a point for corner in the centerline of Gardengrove Court, said point being in a curve to the left having a central angle of $37^{\circ} 07' 37''$ and a radius of 90.00 feet;

THENCE along said curve to the left along the center of said Gardengrove Court a distance of 58.32 feet to the end of said curve;

THENCE North, $89^{\circ} 53' 30''$ West, 380.13 feet to a point for corner in said Pitman Drive;

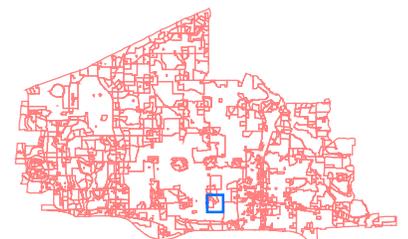
THENCE North, $00^{\circ} 23' 39''$ East, 345.00 feet to a point for corner in said Pitman Drive to appoint for corner therein;

THENCE South, $89^{\circ} 53' 30''$ East, 30.00 feet to the PLACE OF BEGINNING and CONTAINING 4.150 acres of land, of which 0.2376 acres is in Pitman Drive and 0.2391 acres is in Gardengrove Court, leaving 3.6735 net acres of land in said Lot 1, Block A.



Zoning Case #: 2013-29

Existing Zoning: SINGLE-FAMILY RESIDENCE-9/
HERITAGE RESOURCE DESIGNATION #1



○ 200' Notification Buffer