

March 7, 2017, Planning and Zoning Commission Meeting Minutes

Public Hearing – Conduct a Public Hearing and consider a request to establish a Planned Development for Corridor Commercial and adopt Development Regulations, a Concept plan, Building Elevations, and a Sign Plan for a 60± acres of land in the Chadrick Jackson Survey, Abstract No. 489; generally located at the southeast corner of the intersection of Custer Road and Sam Rayburn Tollway (SH 121). (Z-9/2/16-89) [Cornerstone Village at Allen]

Mr. Bo Bass, Director of Community Development, presented the item to the Commission. He stated this item is a public hearing for a Planned Development for a series of mixed-uses for residential and retail uses. He further explained that it is the City's intent for this type of development along State Highway 121.

The property is generally located at the southeast corner of the intersection of Custer Road and Sam Rayburn Tollway (SH 121). The property to the north (across Sam Rayburn Tollway/SH 121) is the City of McKinney. To the west (across Custer Road), is the City of Plano. The property to the east is zoned Planned Development PD No. 101 for Corridor Commercial CC. The properties to the south are zoned Planned Development PD No. 63 for Corridor Commercial CC, Community Facilities CF, Planned Development PD No. 63 for R-6 Single-Family Residential, and Planned Development PD No. 63 for Community Facilities CF.

Mr. Bass explained that the Concept Plan is broken into two tracts containing a total of 60± acres. Tract 1, approximately 323,480 square feet, is mainly along Custer Road and is exclusively retail/restaurant. There are twenty-three total buildings that make up the retail/restaurant portion. The proposed parking spaces for Tract 1 meet the Allen Land Development Code standard. Tract 2 is a 16-acre tract for a Multi-Family development by Trammell Crow. The development for roughly 638 units will have 70% structured parking. All of the corridors are air conditioned and climate-controlled with internal access only.

There are several points of access: five on SH 121, two on Custer Road, and three on the private road on the south. The SH 121 access points will require permits from TxDOT. The vast majority of the traffic for the multi-family tract have ingress/egress on one of the two peripheral roads the developer will build on the eastern and southern sides alongside the property. The City of Plano has also been involved with a \$300,000 escrow (traffic signal), dedicated left turn lanes, and improvements to the medians which is the responsibility of the developer on Custer Road.

Elevations submitted for Tract 1 include various combination of materials and colors and all four sides of the buildings will have distinct architecture. The Tract 2 MF portion ties down urban style architecture with structured parking and a wrapped product. The maximum height for the MF buildings is four stories.

Mr. Bass also explained that sign locations are shown on the Concept Plan and specific sign elevations will also be adopted with this PD Amendment.

All existing and new power lines will be placed underground prior to the issuance of a Certificate of Occupancy. City Staff is not requiring screening on the southern portion of the property to encourage future developers of the vacant lot to mirror this standard of urban styling. There will, however, be an 8' masonry screening wall behind the grocery anchor adjacent to the existing single-family lots. A cross-access easement for vehicle/pedestrian travel and cross-easements will be granted among all lots prior to platting.

Throat-depths of driveways will meet ALDC, but other design criteria can be approved by the Director of Engineering. Declaration lanes and roadway illumination is to be constructed at the same time as all

driveways are constructed. On-site detention/retention ponds are to be determined at the time of platting. The developer is aware that if the detention/retention ponds are required on-site and substantially change the spirit and intent of the project, the case will go back through the Planned Development process. A building permit for Tract 2 will not be issued until either the "Retail 5/ main grocery anchor" within Tract 1 has commenced construction, or a combination of 85,000 square feet of Tract 1 pad sites have commenced construction.

Mr. Ben Roodhouse, RPS Company Texas Manager and applicant, also presented to the Commission. He stated that drainage still has to be contemplated and could affect the site. The drainage issues will be handled with off-site facilities and will accommodate run-off to City standards. Traffic is also not fully satisfied, but his team has met with the City of Plano and Allen to understand the requirements. RPS Company feels comfortable with solving all the issues but will not be able to construct the traffic signal on Custer Road until Plano provides approval because the potential signal is dependent on actual traffic counts.

Chairman Cocking opened the public hearing.

Chairman Cocking closed the public hearing.

2nd Vice-Chair Platt expressed concern for the traffic impact and the traffic light on Custer Road.

Mr. Bass responded that the traffic light's construction is dependent on the City of Plano's consent that traffic counts warrant a traffic light. He said he will make sure Plano is aware the Commission would prefer the installation occur as soon as possible.

1st Vice-Chair Trahan stated he shared the same concerns on the traffic impact.

Kevin Laughlin, City Attorney, stated he is working on the negotiation and development of the agreements and escrow with both the developer and inter-local agreement with the City of Plano. Mr. Laughlin stated it is the City of Plano that requested the traffic light not be installed on Custer Road at this time. The City of Plano prefers to wait for any additional development to occur in the area to justify the need for the traffic light before its installation.

Mr. Bass indicated that the largest of the signs will be placed on the southwest corner of the property on Custer Road, which the City is anticipating to be the point of access for the bulk of the MF traffic. He stated it would be far worse if the next point of access, just north of the potential main entrance, became the major point of access as it would be too close to the future traffic light, which Plano would not allow.

2nd Vice-Chair Platt agreed with Mr. Bass' statement. However, he emphasized his discontent on the idea that the traffic light, which would be much needed, could be put in at any time.

Chairman Cocking stated that the City does not arbitrarily put in traffic lights in advance and recognizes the need for a traffic impact study. Too many lights can become a nuisance for the City.

2nd Vice-Chair Platt agreed with Chairman Cocking, but reiterated he does not like the ambiguity of when the traffic light may or may not be installed.

Mr. Bass stated he understood and that ultimately Plano controls when the light is required, but by providing for an opportunity to collect \$300,000 (roughly a third of the cost) from the developer, and escrowing that into an agreement with Plano, City staff has at least provided an opportunity when the need is warranted. This escrow would also save time as this would not require going through a bond or

Capital Improvements Program. Mr. Bass also stated that this is a perfect retail corner where the property lines converge close to a regional highway. There is confidence the traffic signal will ultimately help mitigate the impacts but the timing is under Plano's control.

2nd Vice-Chair Platt stated that traffic and the ambiguity of the traffic signal is his only area of concern.

Chairman Cocking stated that there is typically a screening wall between commercial and residential properties and that the residential property already has a screening wall along the eastern side. However, he still has concerns with the entire western side of Creekside at Ridgeview being wrought iron. If around 300-400 vehicles travel the firelane (one of the major entrances for the apartment complex), there would be shining headlights along the side of the existing houses. Chairman Cocking recommended the screening wall be extended along the southern border from the eastern most point of Creekside to the western most part of Gulf Coast Package Limited property to protect the residents from light pollution shining on the houses.

Chairman Cocking also stated the property will be MF-18 at four stories, but one of the standards for MF-18 is that if there is any portion of the multi-family use that is within 100 feet adjacent to a single-family residential district, then it shall not exceed 25' feet in height or have open balconies or decks. He asked that the developers maintain this standard.

Mr. Bass asked for clarification on the height standards, which he thought was no more than 35' feet or 2.5 stories per the City Code. He stated if the Chairman is interested in two stories, it will be less than 35' feet, but was not completely sure if 25' is enough to build two stories of MF.

Chairman Cocking said that he also did not know if 25' equated to two stories, and stated that he just does not want this portion of apartments to exceed two stories.

Mr. Bass asked Mr. Roodhouse if he happened to know the height in feet, which he did not.

Mr. Bass stated one solution would be if this portion of the building is to be two stories, and clearly not as high as 35', but around the 25' range, staff and the developer can decide on the height before the case is heard at the City Council meeting.

Chairman Cocking agreed. He said the key issue is that there is an elevation change where the MF portion is higher than the existing residential, so he would like to keep this area at two stories within the 100' distance to keep people from looking into the single-family residential backyards and to be in compliance with MF-18 standards.

Chairman Cocking stated his last concern is regarding the Certificate of Occupancy for the apartment complex. The ordinance is currently written such that the developer either constructs Building 5 or a total of buildings equaling 85,000 square feet in order to begin construction on Tract 2. He stated this number is too low (only about 22% of the total square footage), and believes it should be closer to 1/3. He wanted to change the development regulations to indicate that once a third of the proposed building square footage is constructed, then the CO could be issued for the apartment complex. He stated this means the primary tenant and one of the secondary tenants would have to be developed at around 108,000 total square feet.

Mr. Bass clarified that using that calculation, about 33% of the 324,480 total square footage would be about 108,000 square feet.

Chairman Cocking replied that he would like to see the number be defined as one third of the final square footage because things change and buildings might have to be reduced or enlarged to accommodate drainage and other factors.

Mr. Laughlin said he would be more comfortable stating a specific number like the previously mentioned 108,000 square feet to make sure the number is an objective measurement for future reference.

Chairman Cocking reiterated that he was concerned because the detailed site work had not been completed yet and the square footage could change in the process. After further discussion, the final decision was to refer to one third of the square footage as noted on the Concept Plan with the understanding that if the PD Concept Plan is amended, the required square footage will change as well. Chairman Cocking stated that hopefully there is enough demand to build the site all at once, but if not, this is a good way to ensure it develops the way the City desires.

Chairman Cocking asked the developer if he could agree to these changes.

Mr. Roodhouse stated that this is the plan they expect to develop and the anchor grocery store is the main component that makes this whole plan work. He explained that that was the reason they chose to include that language in there to begin with. They would prefer to keep it as the anchor, but are willing to agree to the 1/3 standard. He also mentioned that the simpler the language, the easier it is for them to structure their lease agreements and transfer land when required.

Chairman Cocking concluded by saying that those were the only three items he wanted to change.

1st Vice-Chair Trahan asked if those items could be repeated to ensure he understood them.

Chairman Cocking stated the following changes/additions:

- To construct an 8' masonry screening wall on the southern border along the northern property of the City of Allen Parks property to block light pollution, foot traffic, litter, etc;
- To limit the height to 2 stories and to not have any balconies or decks within 100 ft. of the existing residential;
- To change the square footage requirement to one third of the total square footage of Tract 1 for the development of Tract 2.

Mr. Bass said staff would translate two stories into feet and include that number in the final ordinance for City Council.

1st Vice-Chair Trahan asked for clarification on the building stories.

Mr. Bass said staff will discuss the height with subject matter experts to determine the ultimate height in feet.

Motion: **Upon a motion by Chairman Cocking, and a second by 2nd Vice-Chair Platt, the Commission voted 5 IN FAVOR, and 0 OPPOSED to recommend approval of the request to change the zoning of 60± acres of land in the Chadrick Jackson Survey, Abstract No. 489; generally located at the southeast corner of the intersection of Custer Road and Sam Rayburn Tollway (SH 121), for Cornerstone Village at Allen, with the addition of the following:**

1. To construct an 8' foot masonry wall on the northern border of the City of Allen Parks property (from the eastern edge of the Creekside at Ridgeview addition to the western edge of the Gulf Coast Package Limited);
2. To limit the height to 2 stories and not have open balconies or decks (and the actual height in feet to be determined by City Staff before the City Council meeting) within 100' foot adjacent to the single-family residential subdivision property;
3. To remove clause "i" in Paragraph 6 of Section L within the development regulations and to edit section "ii" and replace it with the provision that no Building Permit shall be issued for any building on Tract 2 until after Commencement of Construction of 1/3 of the total square footage shown on the Concept Plan.

The motion carried.