



## *Memorandum*

### *October 26, 2021*

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TO: Town Council  
Planning and Zoning Commission  
Julie Couch, Town Manager

FROM: Israel Roberts, AICP  
Planning Manager

SUBJECT: **MAJOR WARRANTS FOR BILLINGSLEY PROPERTY**

**BACKGROUND:** This is a request for various Major Warrants to accommodate the future development of a 239+/- acre tract of land generally located on the east side of US 75 and south of Frisco Road. The subject site is zoned for the (CPDD) Commercial Planned Development District with the Urban Village sub-district. Applicant: Tom Holland, the Billingsley Company representing CB Sloan Creek 75, LTD.

The purpose of this application is to request a number of Major Warrants regarding the potential future development of this 239-acre tract of land. The goal of the Billingsley Company is to address the major items at this time that they believe will be important to them as they proceed with their development plans. There may be specific issues that would be identified in the future as they work to complete more detailed development plans and those would be addressed on a case-by-case basis as we have done with other development plans in the CPDD. A summary of the requested Major Warrants includes:

1. A revised Framework Plan that further divides the site into new sub-districts.
2. An updated Land Use matrix that addresses the new sub-districts as identified on the proposed Framework Plan.
3. Text amendments relating to the design regulations of the Urban Village sub-district, building-type standards, streets, landscaping and environmental, parking and sign details.
4. New street layout plan and street cross-sections.
5. A master sign plan that identifies the location of perimeter monument, pylon and District Signs
6. Public Art plan.

CPDD PROCESS REMINDER: The warrant process allows applicants to request Minor Warrants and Major Warrants for deviations from the CPDD standards. Major Warrants – which are deviations that may be perceived as not meeting the CPDD vision/intent – are considered in a similar manner as a zoning change, and as such, public hearings are required before the Planning & Zoning Commission and Town Council.

## **SUMMARY OF REQUESTED REVISIONS**

FRAMEWORK PLAN: With the original creation of the CPDD code, a Framework Plan was adopted for the entirety of the entire 700+ acre area. On that exhibit (attached), the entirety of commercial district area was divided into four (4) sub-districts (Urban Village, Urban Transition, Neighborhood Edge, and Neighborhood General). Each of those four sub-districts have specific design and use standards that are required by the code. Additionally, as identified by the adopted Framework Plan, the Urban Village sub-district is also broken into four overlay areas. Similar to each sub-district, the four overlays also have specific limitations on design and use standards (residential uses and building heights).

With this proposal, the applicants are presenting a revised Framework Plan, specifically for this 239-acre site, that is also further divided into detailed overlays. In this case, the revised plan reflects five new overlays (Office, Flex, Residential, Retail Zone 1 and Retail Zone 2). Again, similar to the existing code, the amendments proposed with this application, provide specific design and use standards associated with each overlay. Uses permitted within the each of the areas are outlined within the land use matrix. Building height limitations are reflected on the proposed Framework Plan and vary from 1-story to 12 stories.

Included on the Framework Plan, are various designations for Open Space. Per the Urban Village sub-district, each site is to have a minimum of 10% open space. With this proposal, the applicant is requesting that the required 10% open space for the entire 239-acre tract be grouped into the areas as shown, and not a per development, or per lot, basis. Per the CPDD ordinance, approximately 23.9-acre would be required. The proposed Framework Plan reflects over 34-acres of open space.

LAND USE MATRIX – Since this proposal includes the creation of five new overlays, the Use Matrix within the CPDD code must be amended. The Matrix proposed, generally aligns with the uses permitted within the Urban Village sub-district of the CPDD code, with a few notable exceptions that are outlined below. Color designations correspond with the colors on the proposed Framework Plan. For comparison, the Urban Village requirements of the CPDD Use Matrix has been included.

		<b>Billingsley - Urban Village</b>				
<b>USE CATEGORY / USES</b>	Urban Village	Residential Use Area Overlay	Office Use Area Overlay	Retail 1 Use Area Overlay	Retail 2 Use Area Overlay	Office/Residential/ Flex Use Area Overlay
<b>RESIDENTIAL USES</b>						
Townhome II* (with Attached and Detached Garages)	MajW/A*	A				A/MajW - See Framework Plan
Accessory Building	MinW	A				A/MajW - See Framework Plan
Live-Work*	MajW/A*	A				A/MajW - See Framework Plan
Multifamily*	MajW/A*	A				A/MajW - See Framework Plan
*See Framework Plan						
<b>COMMERCIAL USES</b>						
Financial Institution with Drive-In Facilities	MajW			A	A	
Restaurant (with drive-thru)	MajW			A	MinW	
General Retail, 25,000 SF/GFA or More	MinW			A	A	
Farmers Market	MajW			MinW	MinW	
Car Wash, Self Service				MajW	MajW	
Car Wash, Commercial				MajW	MajW	
Vehicle Service and Repair, Heavy				MajW	MajW	
Vehicle Service and Repair, Light				MJW	MjW	

Summary of use matrix revisions:

- Townhome 2: In the Urban Village sub-district, the Townhome 2 building types would typically require attached garages. This amendment is two-fold: 1. Allows garages to be attached or detached; and 2. Townhome 2 building types would be permitted by-right or with a Major Warrant in specific locations in accordance with the Framework Plan.
- Accessory buildings and Live-Work Units: Permitted by-right or with a Major Warrant in specific locations in accordance with the Framework Plan.
- Multi-Family: Under the existing code, this area is entitled to 1,999 multi-family units in specific locations as designated by an overlay. The proposal is similar in that multi-family would be permitted by-right or with a Major Warrant in specific locations in accordance with the revised Framework Plan. No increase in the number of units is being requested.
- Financial Institutions and restaurants with a drive thru: Under current regulations, both require a Major Warrant. As proposed, both would be allowed by-right in Retail Zone 1 and 2, except drive-thru restaurants would be permitted with a Minor Warrant in Retail Zone 2.
- General Retail (over 25k SF): Previously would require a Minor Warrant. As proposed would be permitted by right.
- Car washes and vehicle repair services: Both are not permitted within the existing CPDD ordinance. As proposed, both would only be permitted upon approval of a Major Warrant.

TEXT AMENDMENTS - Included within this packet, is a set of text amendments to the established language of the CPDD code. These amendments cover Urban Village Design Standards, Building Type requirements, Street, Landscape, Parking and Signage revisions. Highlights on the text amendments include:

- Modified building heights: Per the proposed Framework Plan, building heights will range from 1-story for retail and residential amenity uses (ie: neighborhood clubhouse) to 12-stories for offices located near the center and northwest portions of the development. The specific heights are determined by the block locations as designated on the Framework Plan. The proposed building heights are similar to the existing code, but the locations are redefined per this request.
- Creates a provision for privately maintained access drives and streets. This is similar to how the Lincoln Town Center is developed. This would permit certain developments to have access onto a fire lane instead of a dedicated public street. This drive would be owned and maintained by the owners.
- Establishes development standards for Retail Zone 1 and Retail Zone 2. Currently, the Town does not have a standard retail zoning district. The regulations proposed create a traditional retail development environment by establishing building and landscape setbacks requirement from the ROW line. These regulations would only be applicable to these specific zones. For example, along US 75, a 50-foot building and landscape buffer is proposed, instead of a 18-26 built-to-zone, which is required under currently CPDD code regulations.
- Building Type regulations: The proposal generally maintained the standard 18-26 foot built-to-zone regulations per the CPDD; however, certain accommodations are proposed for unique circumstances. For example, along US 75, a 50-foot building and landscape buffer is proposed, instead of a 18-26 built-to-zone, which is required under currently CPDD code regulations. Additionally, they have added private landscape buffers along many of the roadways that will increase the distance from the road.
- Building Form: Within the Urban village sub-district of the CPDD code, all building types are to be designed with restrictive tri-partite architecture and facade rhythm spacing regulations. The proposal modifies these regulations to allow for a wider variety of architectural design, that maintains the high-quality intent of the current language. This language was revised to align with the applicant's development model, specifically related to their designs for the office and commercial buildings. To illustrate these architectural forms, the applicant has provided a photo essay (included within this packet) of various building designs they have constructed at other locations around the area.
- Landscaping: The proposal modifies the parking lot landscaping language from the existing code for clarity and flexibility. These revisions ensure that any surface parking lot will be screening from adjacent roadways, by street trees and shrubs.
- Parking Garages: The proposal established a landscape screening requirement for when structure parking may be visible. Photo examples are provided. Additionally, it prohibits cable spandrels on the end of garages that are adjacent to a ROW for open space.
- Signage: there are a number of changes to the sign guidelines to modify requirements that more align with the signage that they have used in other similar developments.

STREET TOPOLOGY PLAN AND CROSS-SECTIONS - The proposal includes revisions to the street network layout including new street cross-sections.

- **Street Topology Plan:** The Street Topology Plan represents a significant departure from the street alignments as shown on the original Framework Plan as adopted in the CPDD. The existing Framework Plan generally features a northwest to southeast street alignment with intersections of a few internal cross streets and the continuation of Fairview Parkway. The applicant's proposal generally features a traffic flow from southwest to northeast, paralleling Fairview Parkway, thus connecting the US 75 service road with Frisco Road, and two interesting internal streets. The plan also reflects one additional street intersection with HWY 5, south of the Country Club intersection. For comparison purposes, the existing adopted Framework Plan, reflects a total of 3 street intersections with HWY 5, south of the Country Club intersection. Thus, reducing the number of street interactions on HWY 5, south of Country Club by 2.
- **Cross-sections:** The applicant has provided street cross-sections for various primary and secondary street and private drives in both commercial and residential settings. The designs keep to the spirit the urban-style, form-based code design the existing CPDD requires. For Fairview Parkway, the applicant has redesigned the street section from the Sloan Creek Bridge north using the 101-foot cross section currently in the code. The cross sections have been modified to maintain the necessary drive-lanes, on-street parking in some locations, and turn-lanes, while maintaining the standard build-to-zone measurements (18-26 feet form back-of-curb) as outlined by the code, but they have added the ability to include private open space as a part of the cross section. Along Fairview Parkway they are reflecting a private landscape buffer on the north side of the road, which will increase the building setbacks from the road.

**SIGN PLAN** – The proposed sign plan, supplements the existing sign regulations of the CPDD. This plan identifies locations that would permit specific monument, district and pylon signs.

- **Monument signs:** Monument signs would be split between two types: external and internal signs. Internal monument signs would be 8 feet tall, and external signs (located along US 75, Frisco Road and HWY 5) would be 15 feet tall. Both may be internally illuminated. For comparison purposes, the CPDD code would typically allow 6-foot tall signs along HWY 5, and 12-foot tall along US 75 and externally illuminated. The large pylon/monument signs along Stacy Road are 30 feet tall and are internally illuminated.
- **District signs:** Per the CPDD code, District Signs “are located primarily at the entrance, but not always, to a neighborhood or District that identified the neighborhood or District.” They are approved on a case-by-case basis by a Minor Warrant, and must be uniform in design to create a sense of place. Beyond this, there is no other specific design regulations for District signs. In this case, the sign plan reflects District Signs at prominent intersections, and will be limited to 15-foot tall. For comparison purposes, within the Lincoln Town Center, district signs were built at the intersections of Stacy Road, and HWY 5 and US 75. Those district signs are 60 feet wide by 8 feet tall.

- Pylon signs: Pylon signs are not currently an approved sign type under the existing code. Pylon signs were approved as a Major Warrant to the Lincoln Town Center along Stacy Road and US 75. As shown on the sign plan, two pylon signs, 50 feet tall, internally illuminated, are proposed along US 75. This matches the allowable sign height on the west side of US 75 (same owners) and for comparison purposes, the pylon signs that were approved for Lincoln Town Center are 60 feet tall and internally illuminated.

**PUBLIC ART PLAN-** The applicants have provided a Public Art program installation map. The purpose of reflecting the art locations on the framework plan is to identify the minimum requirements for general locations and size of public art that would be required for the overall development. This would supersede having to individually identify public art as each parcel is developed. At the locations shown on the plan, commissioned art exhibits, would be installed. Ranging in heights from 12 – 25 feet tall, these abstract works would be commissioned on an individual basis, and installed at areas of visual importance. As the development plans for those designated areas are submitted, the Town would be provided with the design and detailed plans for the art.

### Public Input

Staff notified 171 adjacent property owners within 500’ of the subject properties, and McKinney ISD, in accordance with requirements and, thus far, have received one letter of support.

**RECOMMENDATION:** Staff has been working with the Billingsley Company for the past year to work through the detailed development standards and determining how those standards would apply to their development. The changes that have been requested are based on the design standards that the Billingsley Company have used in other similar mixed-use developments and they generally conform to the intent of the urban-style, form-based code design the existing CPDD requires. There are a number of changes that will be reviewed and should generate some discussion. While there may be modifications to some of the requested items, generally the concepts are appropriate for the type of urban development proposed in the current code.

### **ATTACHMENTS:**

- Locator
- Proposed Exhibits
  - Framework Plan
  - Use Matrix
  - Text Amendments
  - Street Topology Plan
  - Street Cross-sections
  - Sign Plan
  - Art Plan
  - Garage Screening sample
  - Photo Library