

PLANNING & ZONING COMMISSION
October 19, 2009

COMMISSIONERS PRESENT

James Duggan, Chairman
Jim Norton, 1st Vice Chair
Christopher Caso
Craig Perry
Jeff Bulla

COMMISSIONERS ABSENT

Maggie Armstrong, 2nd Vice Chair
Michael Coleman
Tracey Dry

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Tina Firgens, Planning Manager
Kate Perry, Sr. Planner
Eric Hill, Planner
Bester Munyaradzi, Planner
John Gillam, Assistant City Attorney
Dee Sarver, Sr. Planning Technician
Doris Carter, Sr. Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Duggan at 7:00 p.m.

Commissioner Caso made a motion to approve the agenda as presented. First Vice Chair Norton seconded the motion, which passed 5-0.

Commissioner Perry made a motion to approve the minutes of the October 5, 2009, Planning & Zoning Commission meeting. Commissioner Bulla seconded the motion, which passed 5-0.

PUBLIC HEARINGS

Agenda Item Nos. 5A and 5B were presented together.

AGENDA ITEM NO. 5A - PUBLIC HEARING ZONING CASE 2009-17 APPLICANT: THE ASSURED GROUP

Bester Munyaradzi, Planner, stated this is a request for Specific Use Permit for Mini-Warehouse/Public Storage on 6.1± acres located on the north side of McDermott Road, 400± feet west of Custer Road. Zoned Retail. This item was tabled September 21, 2009. Commissioner Caso made a motion to remove the item from the table. First Vice Chair Norton seconded the motion, which passed 5-0.

Fourteen letters were received for the item, three in favor of the item and 11 in opposition to the item. Staff recommended approval subject to the following stipulations:

1. No outside storage including recreation vehicles, and automobiles shall be allowed.
2. Onsite resident manager shall be required.

The public hearing was opened. Walter Nelson, the applicant, gave a short presentation, and answered questions from the commissioners. Tom McGinnis, Steven Ervin, and Ed Zenner, citizens of Plano, spoke in opposition to the item, feeling it is not the best use of the property. James Long, a representative of the applicant, answered questions pertaining to the rooftop and mechanical systems. No one else spoke in favor of or opposition to this item. The public hearing was closed.

After much discussion, First Chair Norton made a motion to deny the request. Commissioner Bulla seconded the motion, which passed 3-2. Commissioner Perry and Commissioner Caso voted in favor of the item.

AGENDA ITEM NO. 5B - PRELIMINARY SITE PLAN 3/MCDERMOTT PAVILION ADDITION, BLOCK A, LOT 3 APPLICANT: RANDALL'S FOOD & DRUGS LP

Ms. Munyaradzi stated this is a mini-warehouse/public storage on one lot on 6.1± acres located on the north side of McDermott Road, 400± feet west of Custer Road. Zoned Retail. This item was tabled September 21, 2009. Commissioner Perry made a motion to remove the item from the table. Commissioner Caso seconded the motion, which passed 5-0. Staff recommended approval subject to:

1. Planning & Zoning Commission acceptance of the living screen along the west property line; and
2. City Council approval of Zoning Case 2009-17.

There being no discussion, First Vice Chair Norton made a motion to deny. Commissioner Bulla seconded the motion, which passed 5-0.

**AGENDA NO. 6 - PUBLIC HEARING
ZONING CASE 2009-18
APPLICANT: CITY OF PLANO**

Kate Perry, Sr. Planner, stated this is a request to amend Subsection 2.824 (RC - Regional Commercial) and Subsection 2.825 (RE - Regional Employment) of Section 2.800 (District Charts), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses); and Subsection 3.115 (Retirement Housing) of Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations); and related sections of the Zoning Ordinance pertaining to restaurants/cafeterias and retirement housing uses, and related development standards within the Regional Commercial and Regional Employment zoning districts. Staff recommended approval as follows (additions are indicated by underlined text and deletions are indicated by strike-through text).

1. Amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) allowing independent living facility, assisted living facility, long-term care facility, and continuing care facility uses with a specific use permit as follows:

Permitted Use	Category	O-1 - Neighborhood Office	O-2 - General Office	R - Retail	BG – Downtown Business/Government	LC - Light Commercial	CE - Commercial Employment	CB-1 - Central Business-1	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2	RE - Regional Employment	RC - Regional Commercial	RT - Research/Technology Center	CC - Corridor Commercial
Independent Living Facility	Educ., Inst., Public, & Special	P	P	P	P		P	P			S	S		S
Assisted Living Facility	Educ., Inst., Public, & Special	P	P	P	P		P	P			S	S		S
Long-term Care Facility	Educ., Inst., Public, & Special	P	P	P	P		P	P			S	S		S
Continuing Care Facility	Educ., Inst., Public, & Special	P	P	P	P		P	P			S	S		S

- Amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) to allow restaurant/cafeteria use by right in the Regional Employment zoning district without the ten percent restriction, and adding End Note 43 as follows:

Permitted Use	Category													
		O-1 - Neighborhood Office												
		O-2 - General Office	S											
		R - Retail	P											
		BG – Downtown Business/Government	P											
		LC - Light Commercial	P											
		CE - Commercial Employment	P											
		CB-1 - Central Business-1	P											
		LI-1 - Light Industrial-1	P											
		LI-2 - Light Industrial-2	P											
		RE - Regional Employment	P											
		RC - Regional Commercial	P											
		RT - Research/Technology Center	*											
		CC - Corridor Commercial	P											
Restaurant/ Cafeteria	Service										43			

End Note: 43 - See Subsection 2.825 (6)(c)

- Amend Subsection 2.825 (RE - Regional Employment) (6) (Special District Requirements) (c) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) to read as follows:

“A freestanding (sole use and occupant) restaurant/cafeteria is permitted in an RE district ~~as part of the ten percent allowance described above~~ if it has a minimum of 5,000 square feet of gross floor area** and no drive-in window.

** “Gross Floor Area” means the total floor area of a building from the exterior face of a building or from the centerline of a wall separating two buildings, but shall exclude any space where the floor-to-ceiling height is less than six feet and all patios, balconies, and parking facilities.”

The public hearing was opened. Robert Miller, a citizen of Plano, had concerns regarding the independent living facilities, expressing a need for spacing requirements. No one else spoke for or against the item. The public hearing was closed.

After some discussion, Commissioner Caso made a motion to approve the item as submitted. Commissioner Perry seconded the motion, which passed 5-0.

**AGENDA ITEM NO. 7 - PUBLIC HEARING - REPLAT
50/HINCKLEY ADDITION, BLOCK A, LOTS 1R & 3
APPLICANT: THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS**

Eric Hill, Planner, stated this is a religious facility on one lot and one Planned Development-320-Estate Development lot on 5.9± acres located on the west side of Los Rios Boulevard, 80± feet south of Trail Walker Drive. Zoned Planned Development-320-Estate Development. Staff recommended approval as submitted.

The public hearing was opened. Don Vandiver, representing the applicant, was available for questions. Lee Robeson, president of the Ranch Estates Homeowners Association, Dr. Frank Evanoni, and John Jacobsen, citizens of Plano, spoke regarding their concerns about the public notification process. Phyllis Jarrell, Director of Planning, explained the state law requirements for replat notices. No one else spoke for or against the item. The public hearing was closed.

After some discussion, First Vice Chair Norton made a motion to approve the item as submitted. Commissioner Bulla seconded the motion, which passed 5-0.

END OF PUBLIC HEARINGS

AGENDA ITEM NO. 8 - DISCUSSION & DIRECTION AESTHETIC AND LANDSCAPE STANDARDS FOR PARKING STRUCTURES APPLICANT: CITY OF PLANO

Tina Firgens, Planning Manager, stated this item is a request for discussion and direction regarding aesthetic and landscape standards for above ground and/or at grade parking structures. Staff recommended that the Planning & Zoning Commission provide direction regarding potential Zoning Ordinance amendments pertaining to aesthetic requirements and landscape standards for above ground and/or at-grade parking structures and call a public hearing for this purpose, including addressing formatting and placement requirements within Section 3.300 (Exterior Wall Construction Standards for Structures).

After much discussion, Commissioner Bulla made a motion to call a public hearing for adoption of facade and landscaping requirements for parking structures. Commissioner Caso seconded the motion, which passed 5-0.

AGENDA ITEM NO. 9 - ITEMS FOR FUTURE DISCUSSION

Chairman Duggan stated this was the last meeting for 2nd Vice Chair Armstrong and Commissioner Bulla and thanked them for their service to the Planning & Zoning Commission.

There being no further discussion, Chairman Duggan adjourned the meeting at 8:50 p.m.

Planning & Zoning Commissioner

xc: Honorable Mayor and City Council
Thomas H. Muehlenbeck, City Manager