

PLANNING & ZONING COMMISSION

PLANO MUNICIPAL CENTER

1520 K AVENUE

September 19, 2011

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>6:30 p.m. - Dinner - Planning Conference Room 2E</p> <p>7:00 p.m. - Regular Meeting - Council Chambers</p> <p>The Planning & Zoning Commission may convene into Executive Session pursuant to Section 551.071 of the Texas Government Code to Consult with its attorney regarding posted items in the regular meeting.</p> <p>1 Call to Order/Pledge of Allegiance</p> <p>2 Approval of Agenda as Presented</p> <p>3 Approval of Minutes for the September 6, 2011, Planning & Zoning Commission meeting</p> <p>4 General Discussion: The Planning & Zoning Commission will hear comments of public interest. Time restraints may be directed by the Chair of the Planning & Zoning Commission. Specific factual information, explanation of current policy, or clarification of Planning & Zoning Commission authority may be made in response to an inquiry. Any other discussion or decision must be limited to a proposal to place the item on a future agenda.</p> <p><u>CONSENT AGENDA</u></p> <p>5a EH Revised Concept Plan: Royal Addition No. 2, Block A, Lot 7 - Retail on one lot on 2.9± acres located at the northeast corner of U.S. Highway 75 and Exchange Drive. Zoned Corridor Commercial. Neighborhood #59. Applicant: Michael Royal</p> <p>5b EH Revised Conveyance Plat: Royal Addition No. 2, Block A, Lots 5 & 7 - Two conveyance lots on 4.0± acres located at the southeast corner of U.S. Highway 75 and Ozark Drive. Zoned Corridor Commercial. Neighborhood #59. Applicant: Michael Royal</p>	

<p>5c BM</p>	<p>Preliminary Site Plan: Granite Park, Block A, Lot 3 - General office and parking structure on one lot on 6.5± acres located at the southeast corner of Dallas North Tollway and Granite Parkway. Zoned Central Business-1/Dallas North Tollway Overlay District. Neighborhood #8. Applicant: Tollway/121 Partners, Ltd.</p>	
<p>5d BM</p>	<p>Final Plat: Fire Station #13 Addition, Block A, Lot 1 - Fire station on one lot on 2.4± acres located on the west side of Corporate Drive, 550± feet north of Tennyson Parkway. Zoned Commercial Employment. Neighborhood #15. Applicant: City of Plano</p>	
<p>5e EH</p>	<p>Preliminary Site Plan: Trinity Presbyterian Church Addition, Block A, Lots 4R & 5 - Medical office and day care center on two lots on 3.4± acres located on the north side of Hedgcoxe Road, 520± feet west of Ohio Drive. Zoned Planned Development-159-General Office/Preston Road Overlay District. Applicant: RBN Hedge Investments, Ltd.</p>	
<p><u>END OF CONSENT AGENDA</u></p>		
<p><u>PUBLIC HEARINGS</u></p>		
<p>6A KP</p>	<p>Public Hearing: Zoning Case 2011-15 - Request to rezone 119.2± acres located at the northeast corner of Custer Road and Park Boulevard from Agricultural to Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home/Single-Family Residence Attached and Planned Development-Retail. Zoned Agricultural. Applicant: Fairview Farm Land Co. Ltd.</p>	
<p>6B KP</p>	<p>Concept Plan: Haggard Estates - 131 Single-Family Residence-6 lots, 128 Single-Family Residence-7 lots, 122 Patio Home, 78 Single-Family Residence Attached lots, 25 open space lots, and retail on 119.2± acres located at the northeast corner of Custer Road and Park Boulevard. Zoned Agricultural. Neighborhood #46. Applicant: Fairview Farm Land Co. Ltd</p>	
<p>7 BM</p>	<p>Public Hearing: Zoning Case 2011-24 - Request for Specific Use Permitt for Day Care Center (In-home) on 0.1± acre located on the east side of Grenoble Court, 110± feet north of Renaissance Drive. Zoned Planned Development-74-Single-Family Residence-7, Two-Family Residence (Duplex), and Planned Residential District-7. Applicant: Jetzamany Velazquez</p>	
<p>8 EH</p>	<p>Public Hearing: Zoning Case 2011-26 - Request to amend Subsection 3.1605 (Downtown Sign District) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance to allow for reader board/electronic message center signs. Applicant: City of Plano</p>	

<p>9 KP</p>	<p>Public Hearing: Zoning Case 2011-28 - Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), and related sections of the Zoning Ordinance pertaining to private recreation facility and recreation center uses. Applicant: City of Plano</p>	
<p>10 EH</p>	<p>Public Hearing - Replat: Collin Creek Phase II Addition, Block B, Lot 2R - Restaurant on one lot on 1.2± acres located at the southeast corner of 15th Street and Alma Drive. Zoned Corridor Commercial. Neighborhood #66. Applicant: Raising Cane's Chicken Fingers</p>	
<p>11 EH</p>	<p>Public Hearing - Replat: Trinity Presbyterian Church Addition, Block A, Lots 2R, 4R, & 5 - Medical office and day care center on two lots and one vacant lot on 9.3± acres located on the north side of Hedgcoxe Road, and the west side of Ohio Drive. Zoned Planned Development-159-General Office/Preston Road Overlay District. Neighborhood #4. Applicant: RBN Hedge Investments, Ltd.</p>	
<p>12 BM</p>	<p>Public Hearing - Replat: Mendenhall Addition, Block 1, Lot 1R - Public primary school on 8.8± acres located at the northwest corner of N Avenue and 18th Street. Zoned Single-Family Residence-7. Neighborhood #60. Applicant: Plano Independent School District</p>	
<p>13 BM</p>	<p>Public Hearing - Replat: The Town Homes at Legacy Town Center, Phase Four, Block A, Lots 16R-18R, 19XR, & 20XR, & Block B, Lots 2R-4R, 5XR, 6R-9R, & 26XR - 10 Single-Family Residence Attached lots and four open space lots on 0.4± acre located at the southwest corner of Baltic Boulevard and Parkwood Boulevard. Zoned Planned Development-65-Central Business-1/Dallas North Tollway Overlay District. Neighborhood #8. Applicant: D.R. Horton-Texas, Ltd./The Town Homes IV at Legacy Town Center Home Owners Association</p> <p><u>END OF PUBLIC HEARINGS</u></p>	
<p>14</p>	<p>Items for Future Discussion - The Planning & Zoning Commission may identify issues or topics that they wish to schedule for discussion at a future meeting.</p> <p>Council Liaisons: Mayor Pro Tem Pat Miner and Council Member Lee Dunlap</p>	

ACCESSIBILITY STATEMENT

Plano Municipal Center is wheelchair accessible. A sloped curb entry is available at the main entrance facing Municipal Avenue, with specially marked parking spaces nearby. Access and special parking are also available on the north side of the building. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the Planning Department at (972) 941-7151.

**CITY OF PLANO
PLANNING & ZONING COMMISSION
PUBLIC HEARING PROCEDURES**

The Planning & Zoning Commission welcomes your thoughts and comments on these agenda items. The Commission does ask, however, that if you wish to speak on an item you:

- 1. Fill out a speaker card.** This helps the Commission know how many people wish to speak for or against an item, and helps in recording the minutes of the meeting. **However, even if you do not fill out a card, you may still speak.** Please give the card to the secretary at the right-hand side of the podium before the meeting begins.
- 2. Limit your comments to new issues dealing directly with the case or item.** Please try not to repeat the comments of other speakers.
- 3. Limit your speaking time so that others may also have a turn.** If you are part of a group or homeowners association, it is best to choose one representative to present the views of your group. The Commission's adopted rules on speaker times are as follows:

- 15 minutes for the applicant - After the public hearing is opened, the Chair of the Planning & Zoning Commission will ask the applicant to speak first.
- 3 minutes each for all other speakers, up to a maximum of 45 minutes. Individual speakers may yield their time to a homeowner association or other group representative, up to a maximum of 15 minutes of speaking time.

If you are a group representative and other speakers have yielded their 3 minutes to you, please present their speaker cards along with yours to the secretary.

- 5 minutes for applicant rebuttal.
- Other time limits may be set by the Chairman.

The Commission values your testimony and appreciates your compliance with these guidelines.

For more information on the items on this agenda, or any other planning, zoning, or transportation issue, please contact the Planning Department at (972) 941-7151.

CITY OF PLANO
PLANNING & ZONING COMMISSION
CONSENT AGENDA ITEMS

September 19, 2011

Agenda Item No. 5a
Revised Concept Plan: Royal Addition No. 2, Block A, Lot 7
Applicant: Michael Royal

Retail on one lot on 2.9± acres located at the northeast corner of U.S. Highway 75 and Exchange Drive. Zoned Corridor Commercial. Neighborhood #59.

The purpose for the revised concept plan is to show the revised lot layout and future retail development.

Recommended for approval as submitted.

Agenda Item No. 5b
Revised Conveyance Plat: Royal Addition No. 2, Block A, Lots 5 & 7
Applicant: Michael Royal

Two conveyance lots on 4.0± acres located at the southeast corner of U.S. Highway 75 and Ozark Drive. Zoned Corridor Commercial. Neighborhood #59.

The purpose for the revised conveyance plat is to show the revised lot layout.

Recommended for approval as submitted.

Agenda Item No. 5c
Preliminary Site Plan: Granite Park, Block A, Lot 3
Applicant: Tollway/121 Partners, Ltd.

General office and parking structure on one lot on 6.5± acres located at the southeast corner of Dallas North Tollway and Granite Parkway. Zoned Central Business-1/Dallas North Tollway Overlay District. Neighborhood #8.

The purpose for the preliminary site plan is to show the proposed general office development.

Recommended for approval subject to Fire Department approval of a variance to the 150-foot hose-lay requirement.

Agenda Item No. 5d
Final Plat: Fire Station #13 Addition, Block A, Lot 1
Applicant: City of Plano

Fire station on one lot on 2.4± acres located on the west side of Corporate Drive, 550± feet north of Tennyson Parkway. Zoned Commercial Employment. Neighborhood #15.

The purpose for the final plat is to dedicate easements necessary for completing the fire station.

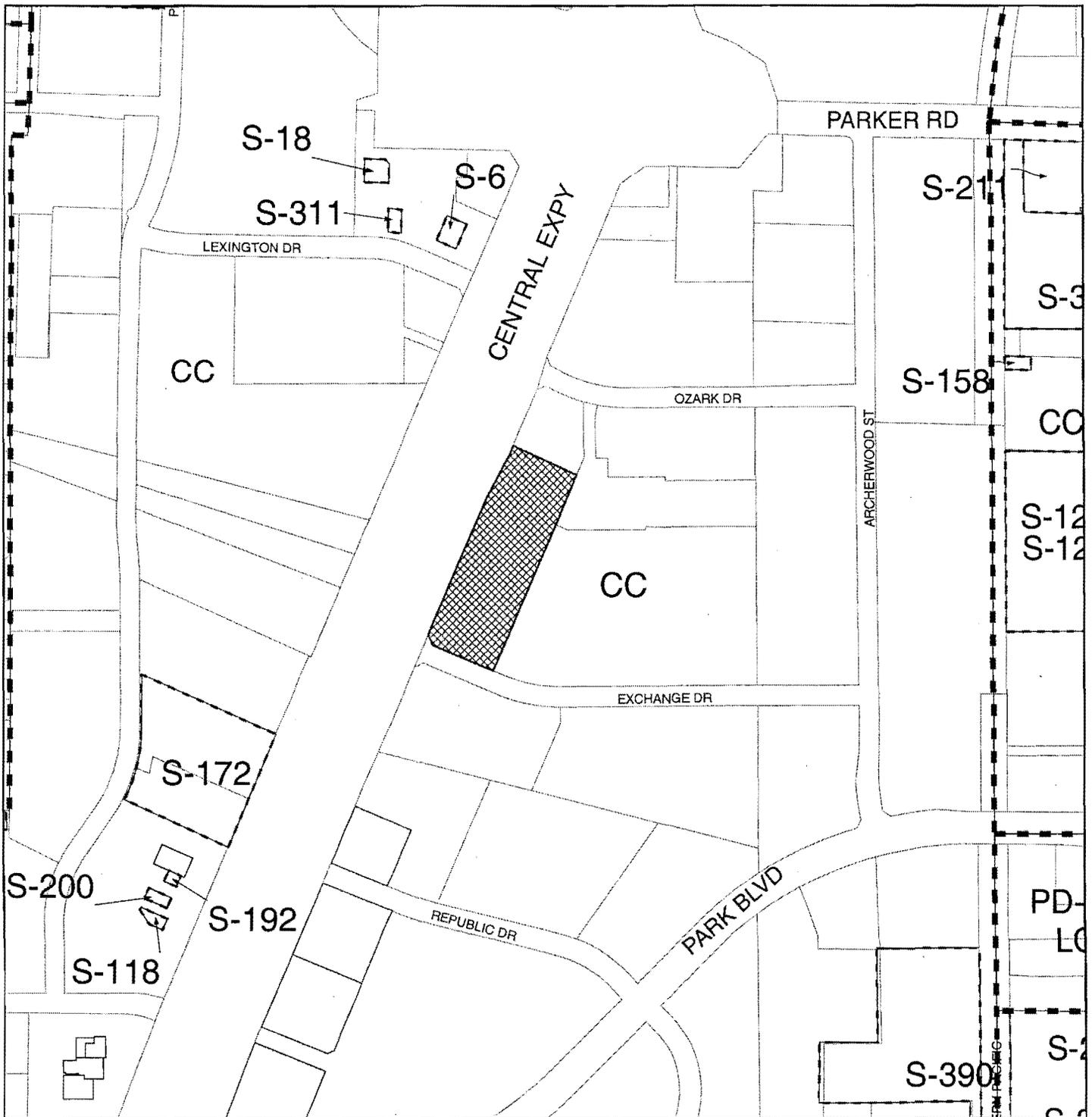
Recommended for approval as submitted.

Agenda Item No. 5e
Preliminary Site Plan: Trinity Presbyterian Church Addition, Block A, Lots 4R & 5
Applicant: RBN Hedge Investments, Ltd.

Medical office and day care center on two lots on 3.4± acres located on the north side of Hedgcoxe Road, 520± feet west of Ohio Drive. Zoned Planned Development-159-General Office/Preston Road Overlay District.

The purpose for the preliminary site plan is to show the proposed medical office development on Lot 4R and day care center on Lot 5, and the associated site improvements.

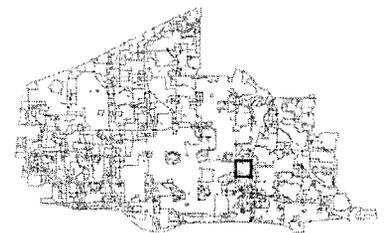
Recommended for approval as submitted.



Item Submitted: REVISED CONCEPT PLAN

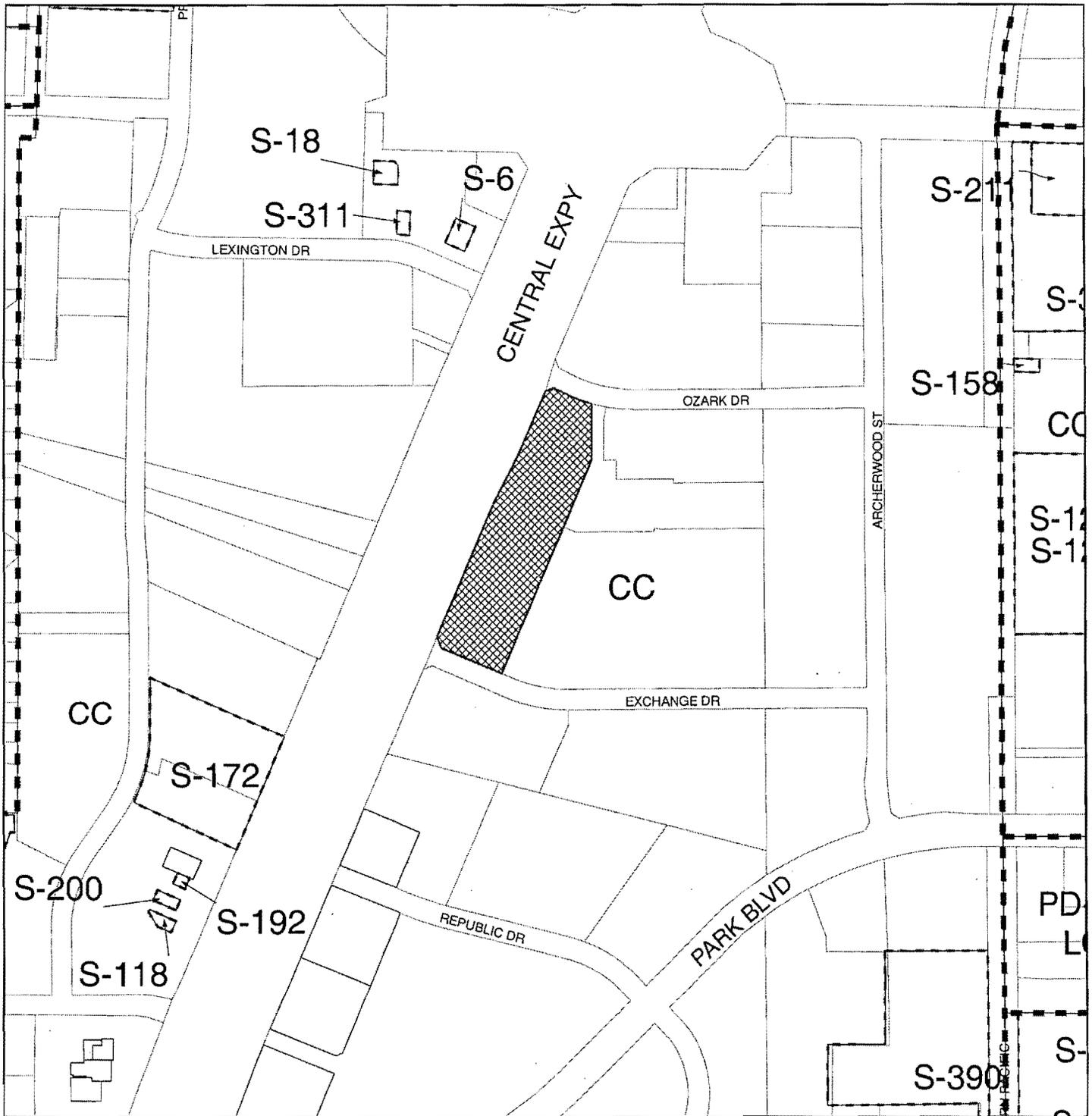
Title: ROYAL ADDITION NO. 2
BLOCK A, LOT 7

Zoning: CORRIDOR COMMERCIAL



○ 200' Notification Buffer

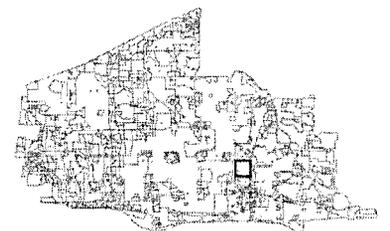




Item Submitted: REVISED CONVEYANCE PLAT

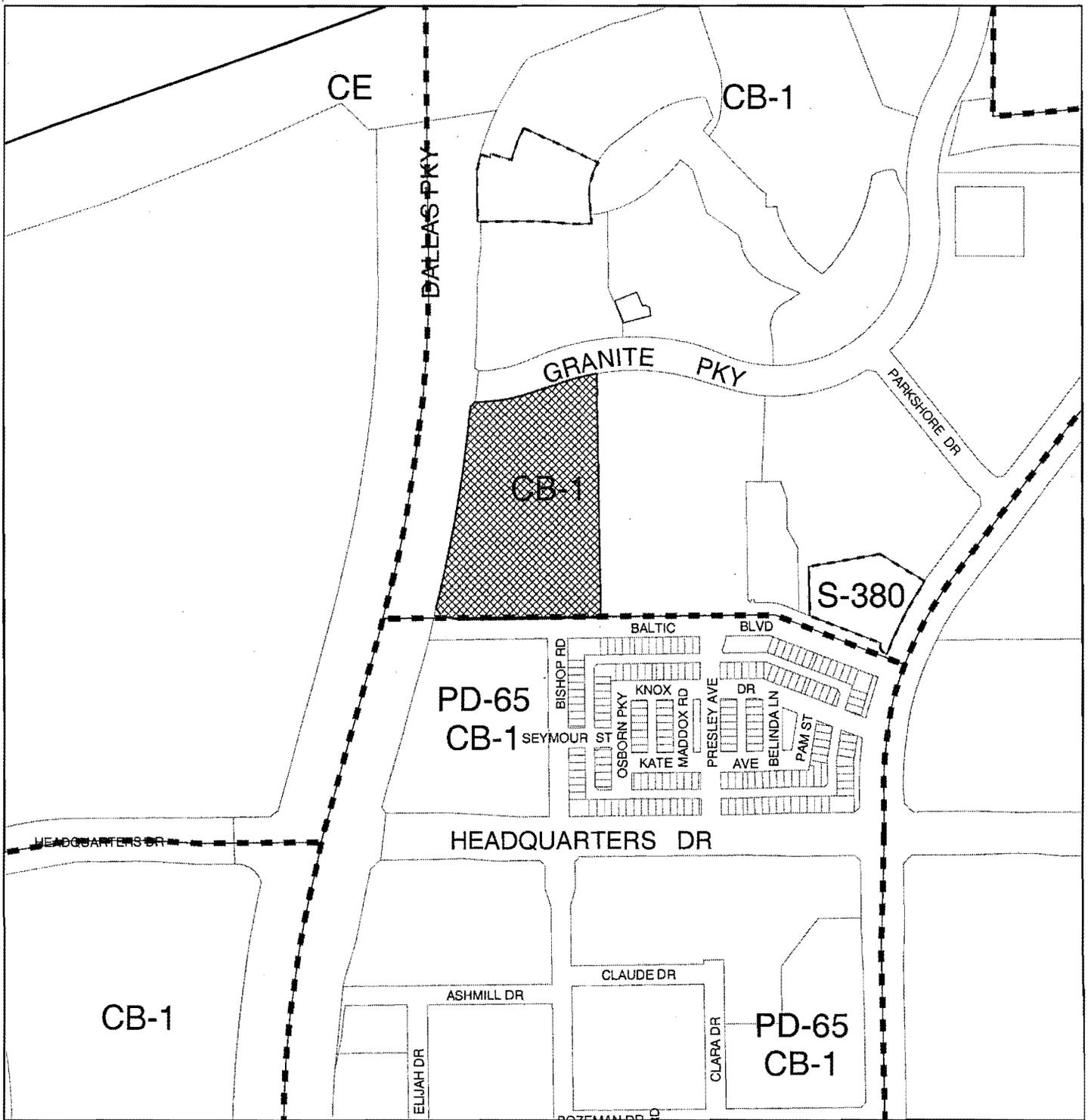
Title: ROYAL ADDITION NO. 2
BLOCK A, LOTS 5 & 7

Zoning: CORRIDOR COMMERCIAL



○ 200' Notification Buffer

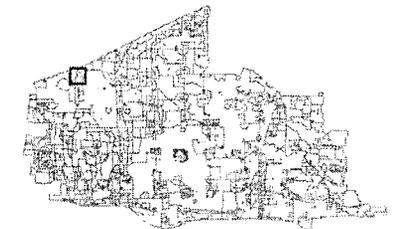




Item Submitted: PRELIMINARY SITE PLAN

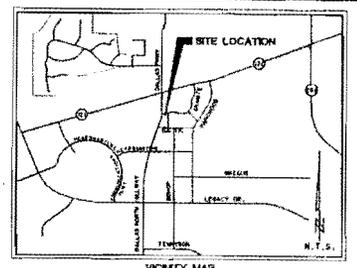
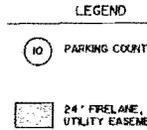
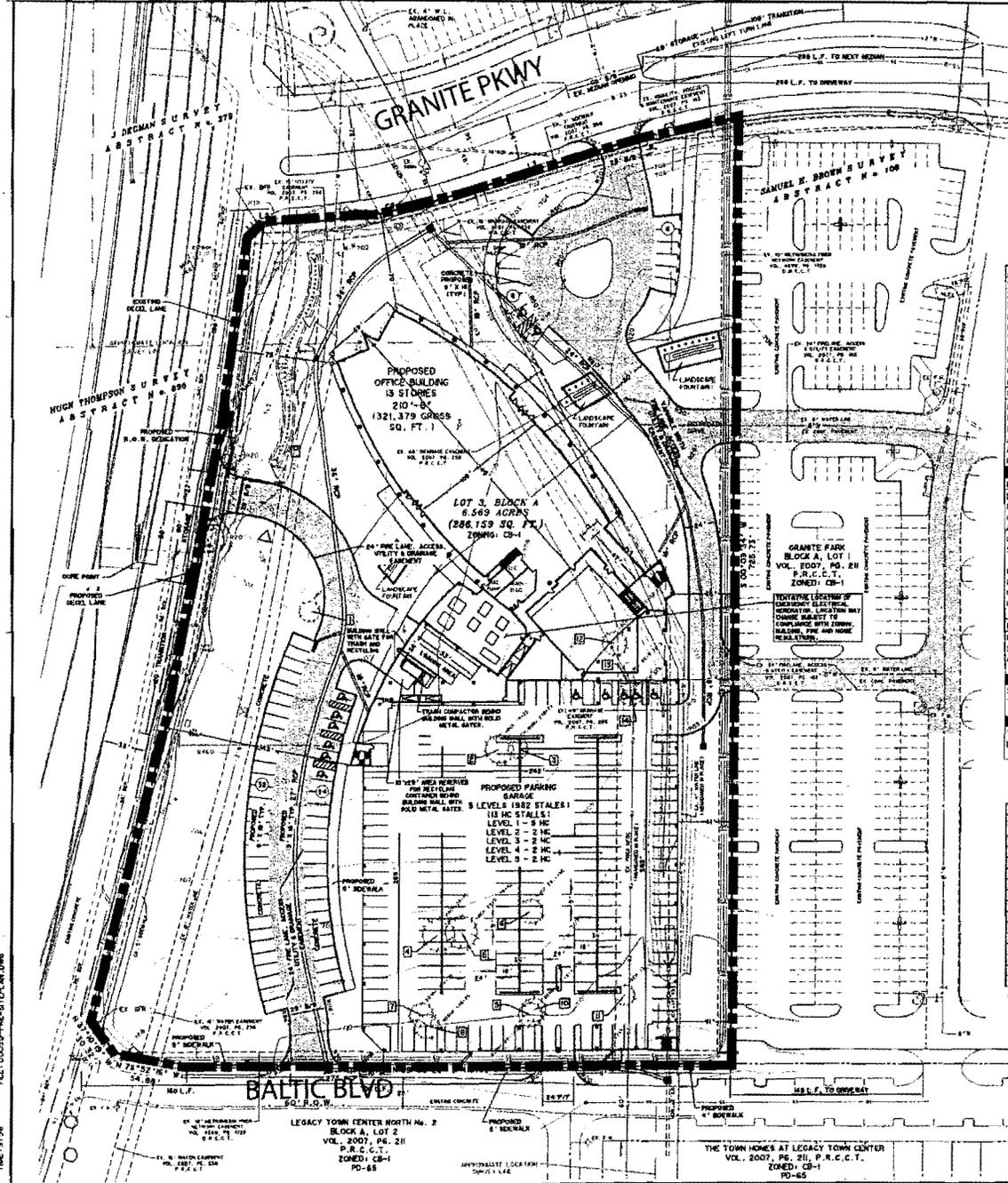
Title: GRANITE PARK
BLOCK A, LOT 3

Zoning: CENTRAL BUSINESS-1/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer





ITEM	LOT 3
GENERAL SITE DATA	
ZONING (FROM ZONING MAP)	CB-1
LAND USE (FROM ZONING ORDINANCE)	GENERAL OFFICE
LOT AREA (SQUARE FEET & ACRES)	6,527 ACRES (24,319 SQ. FT.)
BUILDING FOOTPRINT AREA (SQUARE FEET)	24,785 SQ. FT.
TOTAL BUILDING AREA (SQUARE FEET)	311,147 SQ. FT.
BUILDING HEIGHT (# STORES)	13
BUILDING HEIGHT (FEET - DISTANCE TO TALLEST BUILDING ELEMENT)	210.0
LOT COVERAGE (PERCENT - % COV)	38.15%
FLOOR AREA RATIO (F.A.R. - X MAX)	(1.3)
PARKING	
PARKING RATIO (FROM ZONING ORDINANCE)	1,300 S.F.
REQUIRED PARKING (# SPACES)	1,041
PROVIDED PARKING (# SPACES)	1,052
ACCESSIBLE PARKING REQUIRED (# SPACES)	20
ACCESSIBLE PARKING PROVIDED (# SPACES)	21
PARKING IN EXCESS OF 110% OF REQUIRED PARKING (# SPACES)	0
LANDSCAPE AREA (INCLUDING TURF AREAS)	
LANDSCAPE EDGE AREA PROVIDED (SQUARE FEET)	0
REQUIRED INTERIOR LANDSCAPE AREA	6,500
(PARKING LOT LANDSCAPING) (SQUARE FEET)	101,081
ADDITIONAL INTERIOR LANDSCAPE AREA PROVIDED (SQUARE FEET)	
OTHER LANDSCAPE AREA WITHIN THE LOT INCLUDING STORM WATER CONSERVATION AREAS (SQUARE FEET)	
TOTAL LANDSCAPE AREA (SQUARE FEET)	107,481
PERMEABLE AREA (NOT INCLUDING LANDSCAPING OR TURF AREAS) (SQUARE FEET)	
PERMEABLE PAVEMENT (SQUARE FEET)	
OTHER PERMEABLE AREA WITHIN THE LOT NOT INCLUDING LANDSCAPING OR TURF AREAS (SQUARE FEET)	
TOTAL PERMEABLE AREA (SQUARE FEET)	
IMPERVIOUS AREA	
BUILDING FOOTPRINT AREA (SQUARE FEET)	24,785
& OTHER IMPERVIOUS FLATWORK (SQUARE FEET)	150,150
AREA OF SIDEWALKS, PAVEMENT & OTHER IMPERVIOUS AREA	
TOTAL IMPERVIOUS AREA	174,935
SUM OF TOTAL LANDSCAPE AREA + TOTAL PERMEABLE AREA =	
TOTAL IMPERVIOUS AREA (SQUARE FEET)	284,318
NOTE: SUM MUST EQUAL LOT AREA	
TOTAL IMPERVIOUS AREA	
LESS BMP IMPERVIOUS AREA CREDIT	
RELIABLE IMPERVIOUS AREA	174,935

- BUILDING 6,000 SQUARE FEET OR GREATER SHALL BE 100% FIRE SPRINKLED.
- 24' FREELINE SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS.
- HANDICAPPED PARKING AREAS SHALL BE DESIGNED AND PROVIDED PER CITY STANDARDS AND SHALL COMPLY WITH REQUIREMENTS OF THE CURRENT, ADOPTED INTERNATIONAL BUILDING CODE.
- FOUR FOOT HIGH BARRICADES SHALL BE PROVIDED 8.5 FEET OFF OF THE PROPERTY LINE WITHIN THE RIGHTS-OF-WAY. UNLESS A SIDEWALK EASEMENT IS PROVIDED FOR A SIDEWALK OR AN ALTERNATIVE DESIGN IS APPROVED BY THE CITY. BARRICADE RAMP, PER CITY STANDARDS, SHALL BE PROVIDED ON SIDEWALK AT ALL CURB CROSSINGS.
- Mechanical units, dumpsters and trash compactors shall be screened in accordance with the zoning ordinance.
- All signage submitted upon approval by Building Inspection Department.
- Approval of the site plan is not final until all engineering plans are approved.
- Open storage, where permitted, shall be screened in accordance with the zoning ordinance.
- Building facades within this development shall be compatible as provided in the retail corner design guidelines.
- Outdoor lighting shall comply with illumination standards within section 4-408 of the code of ordinances.
- Please contact building inspection department to determine the type of construction and occupancy group.
- All electrical transmission, distribution and service lines shall be underground where required.
- Uses shall conform in operation, location and construction to the following performance standards in section 3-1309 of the zoning ordinance: noise, smoke and particulate matter, odorous matter, fire of combustible materials, toxic and noxious matter, vibration, and/or other performance standards.

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	
				CHORD BEARING	CHORD
C1	811.90	3365.78	8°49'54"	N6°34'01"E	681.89
C2	132.20	496.00	17°34'53"	N81°22'55"E	191.60
C3	301.61	674.00	8°53'14"	N48°53'49"E	291.91

LINE TABLE	
LINE	BEARING
L1	N48°16'49"E
L2	S89°49'58"E
L3	N12°33'08"E

TREE SURVEY

TREE ID	TREE TYPE	CALIPER (IN.)	CANOPY (FT.)	REMARKS
1	HACKBERRY	10	25	REMOVE, NO MITIGATION
2	HACKBERRY	14	35	REMOVE, NO MITIGATION
3	HACKBERRY	14	25	REMOVE, NO MITIGATION
4	HACKBERRY	28	40	REMOVE, NO MITIGATION
5	HACKBERRY	8	15	REMOVE, NO MITIGATION
6	HACKBERRY	8	15	REMOVE, NO MITIGATION
7	BOIS DARC	(1) 5	35	REMOVE, NO MITIGATION
8	BOIS DARC	6	25	REMOVE, NO MITIGATION
9	BOIS DARC	(1) 11	35	REMOVE, NO MITIGATION
10	BOIS DARC	12	30	REMOVE, NO MITIGATION
11	HACKBERRY	13	25	REMOVE, NO MITIGATION
12	HACKBERRY	6	30	REMOVE, NO MITIGATION
13	HACKBERRY	(1) 10	20	REMOVE, NO MITIGATION
14	HACKBERRY	(1) 8	30	REMOVE, NO MITIGATION

ANTICIPATED TREE LOSS - 100%

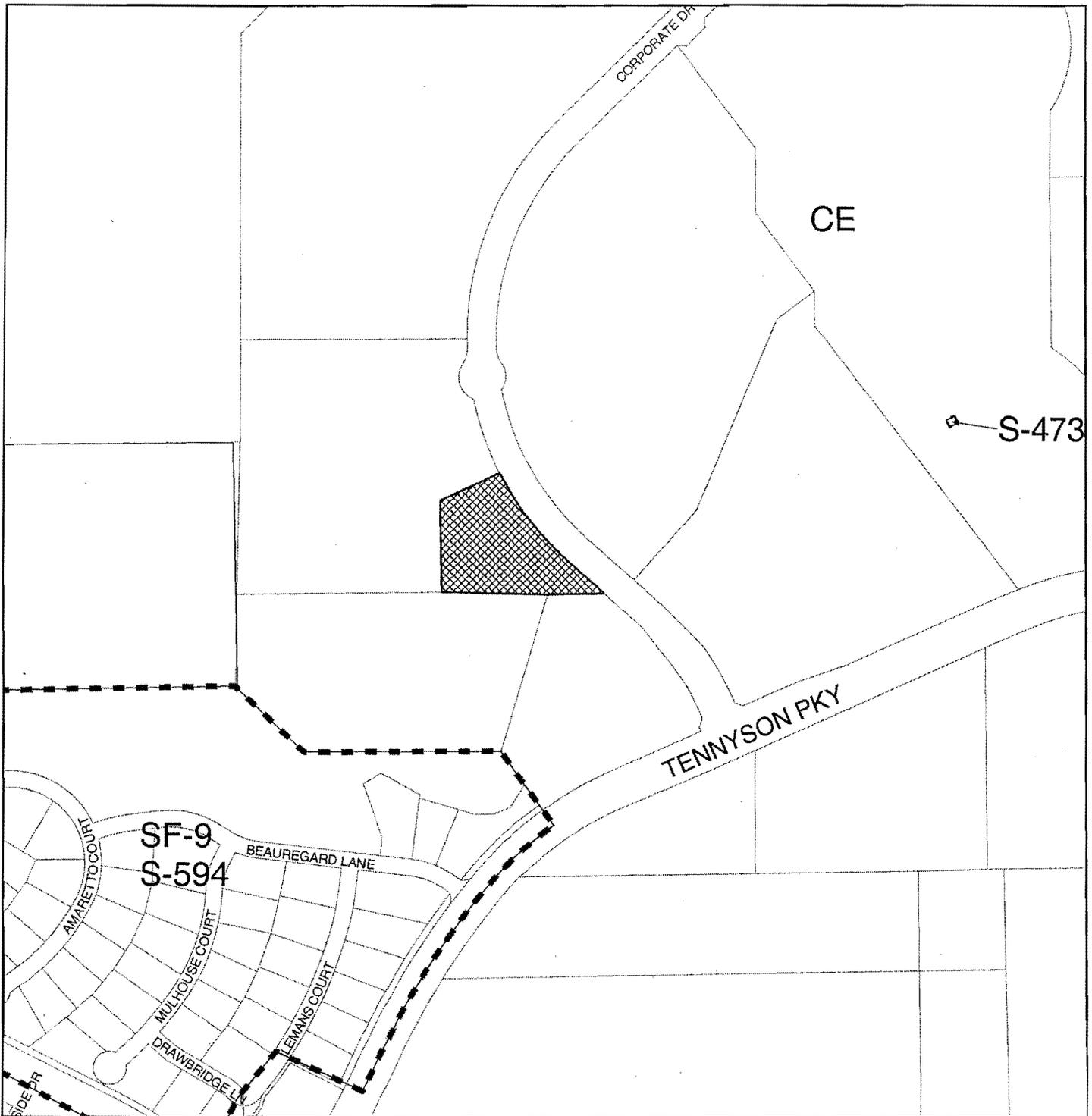
PRELIMINARY SITE PLAN & GENERAL TREE SURVEY GRANITE PARK BLOCK A, LOT 3

BEING 6.569 ACRES LOCATED IN THE SAMUEL H. BROWN SURVEY, ABSTRACT No. 108, HUGH THOMPSON SURVEY, ABSTRACT No. 856, J. DEGMAN SURVEY, ABSTRACT No. 275, CITY OF PLANO, COLLIN COUNTY, TEXAS.

OWNER
TOLLWAY/121 PARTNERS, LTD
5801 GRANITE PARKWAY SUITE
800 PLANO, TEXAS 75084
(972) 731-2300

SURVEYOR-PREPARER
WIER & ASSOCIATES, INC.
6840 ELM STREET
FRISCO, TX 75034
PHONE: (214) 387-8000
FAX: (214) 387-8002
CONTACT: ULTS LANE III, A.P.L.S.

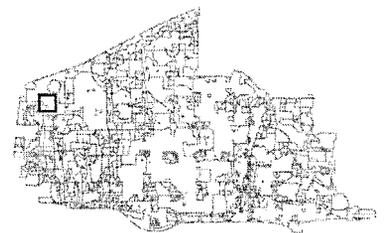
PREPARED BY:
WIA WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
80 HOLLAND AVE. SUITE 300 WICKLIFFE, TEXAS 75092 (D17M)-1700
ONE 681 WEST 190TH, ONE BLOCK WEST D17M-1700
Fax: (214) 387-8000
See Our Explanatory 1-1788



Item Submitted: FINAL PLAT

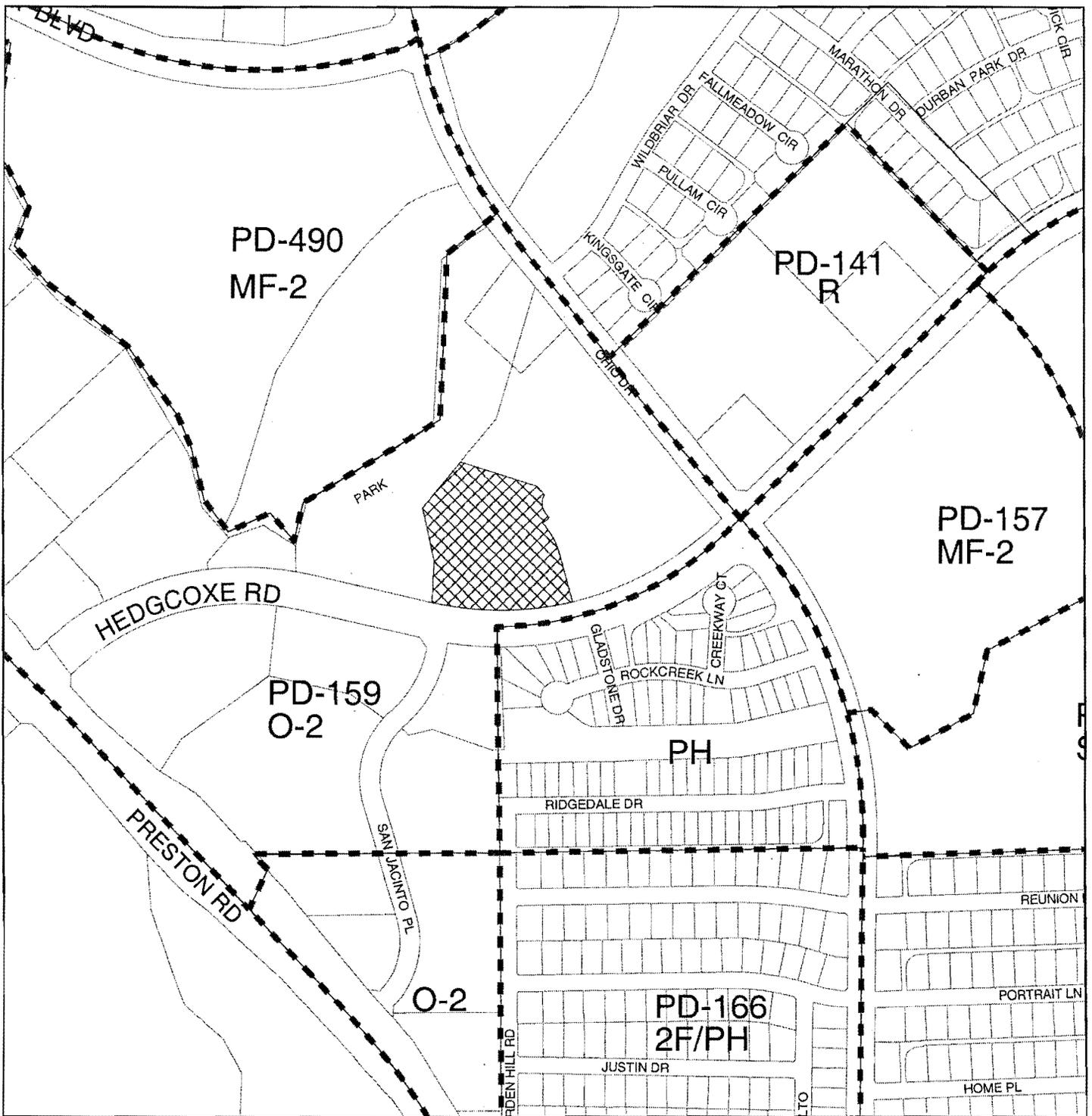
Title: FIRE STATION #13 ADDITION
BLOCK A, LOT 1

Zoning: COMMERCIAL EMPLOYMENT



○ 200' Notification Buffer

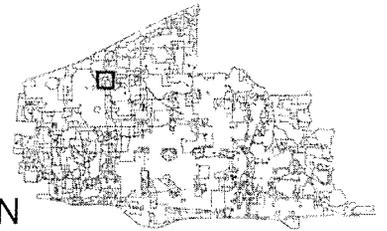




Item Submitted: PRELIMINARY SITE PLAN

Title: TRINITY PRESBYTERIAN CHURCH ADDITION
BLOCK A, LOTS 4R & 5

Zoning: PLANNED DEVELOPMENT-159-GENERAL OFFICE/
PRESTON ROAD OVERLAY DISTRICT ○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 6A

Public Hearing: Zoning Case 2011-15

Applicant: Fairview Farm Land Co. Ltd.

DESCRIPTION:

Request to rezone 119.2± acres located at the northeast corner of Custer Road and Park Boulevard **from** Agricultural **to** Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home/Single-Family Residence Attached and Planned Development-Retail. Zoned Agricultural.

REMARKS:

The applicant is requesting to rezone 119.2± acres located at the northeast corner of Custer Road and Park Boulevard from Agricultural to Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home/Single-Family Residence Attached and Planned Development-Retail. The subject property is bounded on the north by Baffin Bay Drive, on the south by Park Boulevard, on the west by Custer Road, and on the east by Country Place Drive. It is currently in use as a farm.

The current zoning district, Agricultural (A), is intended to provide for farming, dairying, pasturage, horticulture, animal husbandry, and the necessary accessory uses for the packing, treating, or storing of produce. It is anticipated that all A districts will be changed to other zoning classifications as the city proceeds toward full development.

The proposed zoning divides the acreage into two planned developments. Planned development districts provide 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 proposed planned development districts (illustrated on the attached Zoning Exhibit) are as follows:

Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home/Single-Family Residence Attached (108.2± acres)

Tract A, Single-Family Residence-6 (SF-6) - The SF-6 district is intended to provide for small-lot, urban, single-family development protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living.

Tract B, Single-Family Residence-7 (SF-7) - The SF-7 district is intended to provide for areas of urban single-family development on moderate-size lots, protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living.

Tract C, Patio Home (PH) - The PH district is intended to provide for areas of detached, zero lot line, single-family development in a clustered lot pattern with a common usable open space system that is an integral part of the development.

Tract D, Single-Family Residence Attached (SF-A) - The SF-A district is intended to provide for a variety of residential housing types and densities in the medium density range (five-ten units/acre) on individually platted lots or multiple units on a single lot.

Planned Development-Retail (11.0± acres)

Retail (R) - The R district is primarily intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls, but not including wholesaling or warehousing.

A concept plan, Haggard Estates, also accompanies this request as Agenda Item 6B.

Surrounding Land Use and Zoning

The adjacent properties to the east and north are zoned Single-Family Residence-9 (SF-9) and are primarily developed as single-family residences. Harrington Elementary School is located at the southeast corner of Country Place Drive and Baffin Bay Drive. Properties to the west, across Custer Road, are zoned SF-9 and are developed as single-family residences and as a religious facility. Additionally, there are approximately six acres zoned Planned Development-316-R located at the northwest corner of Custer Road and Park Boulevard, developed as retail uses, a call center, and dance studio. Properties to the south, across Park Boulevard, are zoned Patio Home and SF-9 and are developed as single-family residences. The property to the southwest is zoned Planned Development-83-Multifamily Residence-2 and is developed as apartments. The request is consistent with surrounding land uses and zoning.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as residential. The requested residential uses, SF-6, SF-7, PH, and SF-A are consistent with the plan recommendation. The requested R zoning is inconsistent with the Future Land Use Plan recommendation for this area.

Adequacy of Public Facilities - Water and sanitary sewer services are available to serve the subject properties. However, utilities will have to be extended by the developer to accommodate the proposed development. Additionally, sanitary sewer

capacity will have to be further evaluated when more detailed engineering documents are submitted by the developer.

Traffic Impact Analysis (TIA) - Section 3.1400 of the Zoning Ordinance establishes requirements and procedures pertaining to TIA. On the retail portion of the site, the request is estimated to generate approximately 6,100 trips/day. This is well below the threshold established in the Zoning Ordinance of 8,000 trips/day which would require a TIA. A TIA is not required for single-family zoning requests.

ISSUES

Housing Element - The Housing Element of the Comprehensive Plan guides development, maintenance, and redevelopment of housing resources in Plano. This Element describes the city as a community of viable neighborhoods that emphasizes housing variety and opportunity. It also highlights demographic changes occurring in the city such as an aging population and an increasingly diverse population. The requested SF-6, SF-7, PH, and SFA zoning provides for a variety of lot sizes and housing types in a quality living environment. The residential portion of the request is consistent with policies in this Element of the Comprehensive Plan.

Infill Housing Policy Statement - This policy was created in recognition of the fact that infill housing will be the primary source for future residential development in Plano. This policy statement provides guidance for decision makers, developers, and staff. The residential portion of this request is supported by several policy objectives established in the Infill Housing Policy Statement. Specifically, the requested development would provide a variety of housing options for prospective Plano residents, expand Plano's housing stock even as the availability of land decreases, and it would create new housing opportunities that complement and support existing residential development.

Additionally, as noted in this policy statement, "Infill housing can provide several benefits for people who live and work in Plano. The city is an employment center in the North Dallas region and a net importer of workers. Infill housing can provide residential opportunities for workers with jobs in the city, thus reducing commuting distances and time. Infill housing could serve the new residents to the region who want to live close to employment and cultural opportunities."

The Infill Housing Policy also reaffirms findings in the Tri-City Retail Study (more below) which identified an imbalance of land uses, specifically too much R zoned land. Infill housing can help improve the ratio of housing to retail uses and provide more residential population to help support retail businesses. Specifically, the Policy states that "Additional housing will lead to more potential customers for the existing retail and office space, thus increasing sales tax revenues."

Tri-City Retail Study - The Tri-City Retail Study examined underperforming commercial areas and made a series of recommendations for improving these areas. The retail portion of this request is not supported by the findings of this study which show a significant amount of underperforming retail within the city. The study noted that excessive R zoning was a contributing factor to vacant and underproductive retail centers and the lack of development of many R zoned properties.

As an alternative to R zoning, staff recommends that this area be considered for SF-A zoning. The SF-A district is consistent with the city's adopted land use policies, existing and proposed uses in the area, and strategies for improving the retail balance within the city. Additionally, the SF-A district provides flexibility for the types of residential lots that can be built within the district, since SF-A zoned property can be developed in accordance with standards in the Patio Home, Two-Family Residence (Duplex) and single-family residence districts.

Rezoning Property to Meet Demand Policy Statement - This policy statement was developed to provide guidance when considering requests to rezone properties. More land within Plano is zoned for retail, office, and industrial uses than is likely to develop. As stated in the policy "Plano's grid system of major thoroughfares provides for effective and efficient traffic circulation. It creates more than 50 major intersections at approximately one-mile intervals. Up until the mid-1980's, it was common to zone as many as four corners at each intersection for future shopping centers. Although these intersections seem to provide 'perfect' locations for retail uses, market saturation has led to undeveloped sites, partially developed sites, and vacant or underused retail buildings." Because the city has a large amount of existing retail, this policy focuses on strategies related to converting some of that property to other uses such as residential development. Since this policy focuses on reducing the amount of R zoned land, it does not support the retail portion of this request.

School Capacity

The subject property is located within the Harrington Elementary School attendance zone, which feeds into Carpenter Middle School, Clark High School, and Plano Senior High School. The proposed residential uses are consistent with the plans for this area as shown on the Future Land Use Map in the city's Comprehensive Plan and the school district is aware of the plan. Based upon the current feeder alignments these schools are not at capacity.

Overview of Proposed Planned Development Stipulations

Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home/Single-Family Residence-Attached

This proposed PD district comprising 108± acres, is divided into four tracts. Residential development standards are proposed for each tract. Additionally, the requested PD contains "General Provisions" for the entire district, which includes the following items summarized below.

Open Space - The proposed PD language establishes a minimum amount of open space to be provided within the overall PD zoning district. The requested standards establish a higher minimum area of open space than that which is required in the base residential zoning districts. In order to create the desired configuration of open space, with the open space lots consolidated into larger useable areas, the request proposes to modify the requirement in the Zoning Ordinance that states that all lots shall be located within 600 feet of a required open space. The PD proposes to allow residential lots to be located at a greater distance from the open space, a maximum of 1,200 feet.

Landscaping Requirements - The proposed language establishes a 15-foot landscape edge along Custer Road and Park Boulevard (instead of the ten-foot landscape edge required in the landscape ordinance). It also establishes a 32-foot landscape buffer along the south side of Baffin Bay Drive and a ten-foot landscape buffer along Country Place Drive. The homeowners association shall be responsible for maintaining all landscaping elements.

Street Sections - The proposed language specifies alternate street sections for Baffin Bay Drive and the streets in Tract D.

Baffin Bay Drive - The city's thoroughfare plan identifies Baffin Bay Drive as a Residential/Local Road (Type G). This street type has a pavement width of 27 feet within a 50-foot right-of-way. The northern portion of Baffin Bay Drive was constructed with the development of the adjacent Ports O'Call neighborhood to the north. Construction of the southern portion of Baffin Bay Drive will occur concurrent with development of the subject property.

Currently, a row of Hackberry trees exist along the northern property line of the subject property. If Baffin Bay Drive were to be constructed as shown on the Thoroughfare Plan, these trees would all be removed.

Staff together with the applicant, evaluated the possibilities for preserving the trees along Baffin Bay Drive. One option considered was to retain the trees by creating a median within Baffin Bay Drive. As part of the evaluation of this option, the condition of the trees was evaluated by a city arborist. Many of the trees were found to be in moderate to poor condition. If this option were pursued, the trees would be further impacted by the additional Baffin Bay Drive construction. A significant amount of tree loss could be expected. Due to the need to grade the island, it would not be practical to replace the trees until such time when all trees were gone. The median could then be regraded to accommodate new trees being planted within the center of the median. Given this situation, staff and the applicant explored additional street section design options focused on creating the best long term outcome.

The proposed street section, which retains on street parking on the north side of Baffin Bay Drive, provides two through travel lanes with a 32-foot landscape buffer being provided along the south side of Baffin Bay Drive. Given the three street section options considered, staff supports the proposed street section as the best long term option for the overall residential neighborhood area.

Tract D Streets - The proposed street section includes a 52-foot right-of-way instead of the standard minimum 50-foot right-of-way. This street section will allow the proposed SF-A development to better accommodate planned on-street parking and street trees.

Screening Requirements - The proposed stipulations specify details of the screening to be provided along Custer Road, Park Boulevard, Baffin Bay Drive, and Country Place Drive.

- Where side or rear lot lines abut Custer Road, Park Boulevard, or Baffin Bay Drive, a maximum eight-foot masonry screening wall shall be provided.

Additionally, along Baffin Bay Drive and Country Place Drive, a six-foot ornamental fence that is at least 50% open in construction, shall be provided where streets internal to the development are adjacent to Baffin Bay Drive or Country Place Drive rights-of-way in order to provide views into the residential development instead of a continuous screening wall.

- In all cases, a landscape buffer, as described previously shall be installed to separate the wall from the adjacent right-of-way and to soften the appearance.
- Since the screening elements exceed the screening requirements in the Zoning Ordinance, the homeowners association shall be responsible for maintaining all required walls, fencing, and landscaping.

Planned Development-Retail

This proposed planned development district comprising 11± acres consists of one tract with R as the base zoning district. Additionally, the requested PD contains general provisions that apply to the entire PD district, which include the following provisions summarized below.

Landscaping - The proposed language establishes a minimum 15-foot landscape buffer between the north side of the R tract and Tract C (PH) to the north, as well as a minimum 15-foot landscape buffer along Park Boulevard and Custer Road. The required landscaping as proposed in the PD exceeds the landscape requirements in the Zoning Ordinance which requires a 10-foot landscape edge, except for corner lots where a 15-foot landscape edge is required.

Screening - The applicant is proposing to screen surface parking from all public streets and adjacent properties by the use of trees, shrubs, and berms as well as to screen the rear and service sides of nonresidential buildings, refuse, and recycling containers.

Open Space - The proposed PD establishes a minimum of 1.5 acres of open space shall be provided within the district, and that the open space shall be open to the public. This required open space shall be maintained by a property owner's association.

Streets - In lieu of having residential lots back up to the proposed retail tract, and to promote better connectivity between the retail tract and adjacent residential tracts, the proposed PD requires that two 60-foot right-of-way (37-foot pavement width) be provided adjacent to the retail tract. In addition to the access drives planned along Park Boulevard and Custer Road, these streets should carry the retail traffic directly to major thoroughfares. It is anticipated that these streets will also support residential traffic circulation within the overall development, including providing outlets to adjacent major thoroughfares.

Uses - The applicant is proposing to prohibit many uses otherwise allowed in the R zoning district. Additionally, the proposed language prohibits drive-through lanes with the exception of banks. If R zoning is determined to be appropriate for this area, for consistency of R zoning throughout the city, then staff recommends allowing all uses permitted in the R district.

Building Exteriors - In order to provide better quality construction materials and address the rear or service sides of buildings visible from the adjacent residential tracts, the applicant is proposing to provide minimum exterior facade requirements. The proposed language includes the following:

- Exterior wall construction shall be a minimum of 75% masonry;
- Building facades shall be finished on all sides; and
- Nonresidential buildings fronting the required streets shall have a minimum of 40% of the ground floor comprised of window area.

The proposed stipulations for each district are provided below.

Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home/Single-Family Residence Attached

Location: NE corner of Park Boulevard and Custer Road

Acreage: 108.0±

Restrictions:

General Provisions of the Planned Development District:

1. The exhibits attached hereto are adopted as part of this ordinance.
2. Maintenance of all open space, landscaping, detention areas, and common amenities shall be the responsibility of a homeowners association. This responsibility shall include any landscaping improvements within the Baffin Bay Drive right-of-way south of the curb line, and within the Country Place Drive right of way west of the curb line. The homeowners association's documents shall be approved by the City Attorney.
3. A private recreation facility is an additional allowed use by right in Tracts A, B, C, and D.
4. Streets:
 - a. Baffin Bay Drive shall be constructed as shown in Exhibit "A."
 - b. Streets within Tract D shall be constructed as shown in Exhibit "B."
5. Landscaping and Open Space:
 - a. A combined minimum of eight acres of open space shall be provided within Tracts A, B, C, and D and shall be provided in accordance with Subsection 3.117 (Useable Open Space), except as provided herein.
 - b. All residential lots within Tracts C and D must be located within 1,200 feet of required usable open space as measured along a street.
 - c. Open space provided shall be shown on an approved concept plan.

- d. A minimum 15-foot landscape buffer dedicated to a homeowners association shall be provided along Park Boulevard and Custer Road.

6. Screening:

- a. A maximum eight-foot masonry screening wall shall be constructed along the rear or side lot line of lots adjacent to Custer Road, Park Boulevard, and Baffin Bay Drive. The wall shall be separated from the right-of-way by a minimum 15-foot landscape buffer. The landscaping shall be provided on the street side of the wall. The wall shall be located in a lot dedicated to the homeowners association.
- b. A six-foot ornamental metal fence, which is at least 50% open in construction, and shrubbery shall be installed/constructed when street right-of-ways are provided internal to the residential subdivision that are adjacent to either Baffin Bay Drive or Country Place Drive rights-of-way. The fence shall be separated from the right-of-way for Baffin Bay Drive and Country Place Drive by a minimum ten-foot landscape buffer dedicated to a homeowners association. A minimum of two pedestrian access points within the ornamental fence shall be provided to the sidewalk along Baffin Bay Drive.
- c. The side yard fences along Country Place Drive shall be separated from the Country Place Drive right-of-way by a minimum ten-foot landscape buffer dedicated to the homeowners association. The initial side yard fence shall be constructed by the developer prior to acceptance of public improvements for the subdivision. Maintenance of the side yard fences shall be the responsibility of the individual property owners unless otherwise provided for in the homeowners association documents.

Residential Development Standards

1. Standards relating to SF-6 (Tract A)

- a. Uses and development standards shall be in accordance with the SF-6 district except as provided in this subsection.
- b. Minimum Front Yard (for front entry): 15 feet. Garages shall be setback a minimum of 20 feet from the front property lines.
- c. Minimum Rear Yard: 15 feet
- d. Minimum Side Yard: 6 feet, except as provided in Section 3.600
- e. Minimum Side Yard -- Corner Lot: 15 feet on street side, except as provided in Section 3.600
- f. Maximum Coverage: 55%

2. Standards relating to SF-7 (Tract B)

- a. Uses and development standards shall be in accordance with the SF-7 district except as provided in this subsection.
 - b. Minimum Front Yard: 25 feet
 - c. Minimum Rear Yard: 10 feet, except as provided in Section 3.700
 - d. Minimum Side Yard: 7 feet, except as provided in Section 3.600
 - e. Minimum Side Yard -- Corner Lot: 15 feet on street side, except as provided in Section 3.600
 - f. Maximum Coverage: 55%
3. Standards relating to Patio Home (Tract C)
- a. Uses and development standards shall be in accordance with the PH district except as provided in this subsection.
 - b. Maximum Lot Coverage: 65%
4. Standards relating to SF-A (Tract D)
- a. Uses and development standards shall be in accordance with the SF-A district except as provided in this subsection.
 - b. Maximum Density: 40 dwelling units per acre
 - c. Minimum Lot width: 20 feet
 - d. Minimum Lot Depth: 50 feet
 - e. Front yard setbacks:
 - i. Minimum Setback: 11 feet from back of curb to building
 - ii. Maximum Setback: 17 feet from back of curb to building
 - f. Minimum Lot Area: 1,100 square feet
 - g. Maximum Lot Coverage: 95%
 - h. Maximum Rear Yard: five feet
 - i. Minimum Side Yard:
 - i. Interior Side yard: None
 - ii. Exterior Side Yard (Corner Lot): Shall be treated the same as front yards.

- j. Buildings must be separated by a minimum distance of ten feet.
- k. Maximum Height: two-story (35 feet)
- l. Minimum Floor Area per Dwelling Unit: 800 square feet
- m. Maximum Building Length: 200 feet
- n. Maximum Number of Units per Building: ten
- o. Each dwelling unit shall have a garage with a minimum of two parking spaces. Garage entrances shall be allowed only from an alley. The distance from the garage to the travel lane of the alley shall be a maximum of five feet in length or shall be a minimum of 20 feet in length. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.
- p. Street, Sidewalk and Streetscape Regulations
 - i. Street trees shall be uniformly placed in planting beds within six feet of the back-of-curb, a maximum of 90 feet on center.
 - ii. Sidewalks shall be a minimum unobstructed width of six feet and shall be placed along the street frontage. Sidewalks are in addition to and shall be placed adjacent to the street tree area.
 - iii. Stoops and landscaped areas adjacent to the building may extend a maximum distance of six feet into the areas between the front facade of the building and the back-of-curb provided that a minimum six-foot unobstructed sidewalk is maintained.

Planned Development-Retail

Location: NE corner of Park Boulevard and Custer Road
 Acreage: 11.0±

Restrictions:

General Provisions of the Planned Development District:

1. Maintenance of all open space, landscaping, detention areas and common amenities shall be the responsibility of a property owners association. The property owners association's documents shall be approved by the City Attorney.
2. Streets:

The north and east sides of the district shall be bounded by streets with a minimum 60-foot right-of-way.

3. Landscaping and Open Space:

- a. Except as stated herein, landscaping shall be provided per Section 3.1200 (Landscaping Requirements).
- b. A minimum of 1.5 acres of open space shall be provided within the district and shall be open to the public. Open space shall be integrated within the retail uses. Open space provided shall be shown on an approved concept plan.
- c. A minimum 15-foot landscape edge shall be provided along Park Boulevard and Custer Road.
- d. A minimum 15-foot landscape edge shall be provided along the south side of the required street (minimum 60-foot right-of-way) that forms the north boundary of the district, and along the west side of the required street (minimum 60-foot right-of-way) that forms the east boundary of the district.

4. Screening:

- a. Surface parking areas shall be screened from public streets and adjacent properties by the use of trees, shrubs, and berms to minimize views of automobiles from a point three feet above grade and below.
- b. The rear and service sides of nonresidential buildings oriented toward residential use or required open space shall be screened as provided in Section 3.1000 (Screening, Fence, and Wall Regulations).
- c. Refuse and recycling containers shall not be located within 30 feet of a public street unless internal to the building, and shall be screened from view from streets and required open space as provided in Section 3.1000 (Screening, Fence, and Wall Regulations).

Retail Development Standards

1. Standards relating to Retail

- a. Uses and development standards shall be in accordance with the R district except as provided in this subsection.
- b. Prohibited Uses:

- Adult Day Care
- Arcade
- Assembly Hall
- Assisted Living
- Automobile Parts Sale (inside & out)
- Automobile Repair- Minor/Major
- Car Wash

Caretaker's residence
Cemetery/Mausoleum
Continuing Care Facility
Distribution Center/Warehouse
Electrical Substation
Flea Market
Fraternal Organization
Funeral Parlor
Guard/Caretaker Residence
Hotel
Independent Living
Indoor Gun Range
Kennels (Outdoor Pens)
Laundromat
Long-term Care Facility
Mini-Warehouse/Public Storage
Mortuary/Funeral
Nursery
Restaurant Drive-in
School
Sewage Treatment Plant
Studio Residence
Tool Rental Shop
Trade/Commercial School
Transmission Line/Utility Distribution
Water Treatment Plant.

- c. Drive-through lanes are prohibited for all uses with the exception of banks.
- d. Minimum Front Yard Setback from Required Streets (minimum 60-foot right-of-way): 15 feet along required streets. All other front yard setback requirements shall be in accordance with the R district.
- e. Maximum Lot Coverage: 50%
- f. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted. These areas shall not be included in parking calculations.
- g. Street trees shall be provided at a rate of one four-inch caliper tree per 50 feet of street frontage. Exact spacing and location of street trees shall be determined at the time of site plan approval.
- h. Buildings:
 - i. Exterior wall construction for each building facade shall consist of a minimum of 75% masonry.
 - ii. All building facades shall be consistent, compatible, and finished on all sides.

- iii. Nonresidential buildings fronting the required streets (minimum 60-foot right-of-way) shall have a minimum of 40% of the ground floor comprised of window area. For the purposes of this standard, ground floor is defined as that portion of a building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.

- i. Signage: Pole signs are prohibited.

Public Response

At the time of packet preparation, two responses have been received in support of this request and 119 responses have been received in opposition. Of those in opposition, 37 represent property within the 200-foot notification buffer. Copies of these responses are being provided to the Commission under separate cover.

Concept Plan

Since the requested zoning is a PD, the zoning request must be accompanied by a concept plan. The applicant has submitted a concept plan which is on this meeting agenda as Agenda Item 6B. If the Commission determines to recommend approval of the zoning request as submitted, staff does not object to the proposed retail layout shown on the concept plan since it is consistent with the proposed PD stipulations provided in Zoning Case 2011-15.

Should the Commission be favorable to the zoning request with amendments that affect the concept plan, and the applicant concurs with the proposed amendments, staff recommends tabling both the zoning request and concept plan to allow the applicant time to revise the concept plan accordingly.

Summary

The applicant is requesting to rezone 119.2± acres located at the northeast corner of Custer Road and Park Boulevard **from** Agricultural **to** Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home/Single-Family Residence Attached and Planned Development-Retail. The Comprehensive Plan supports the residential portion of this request.

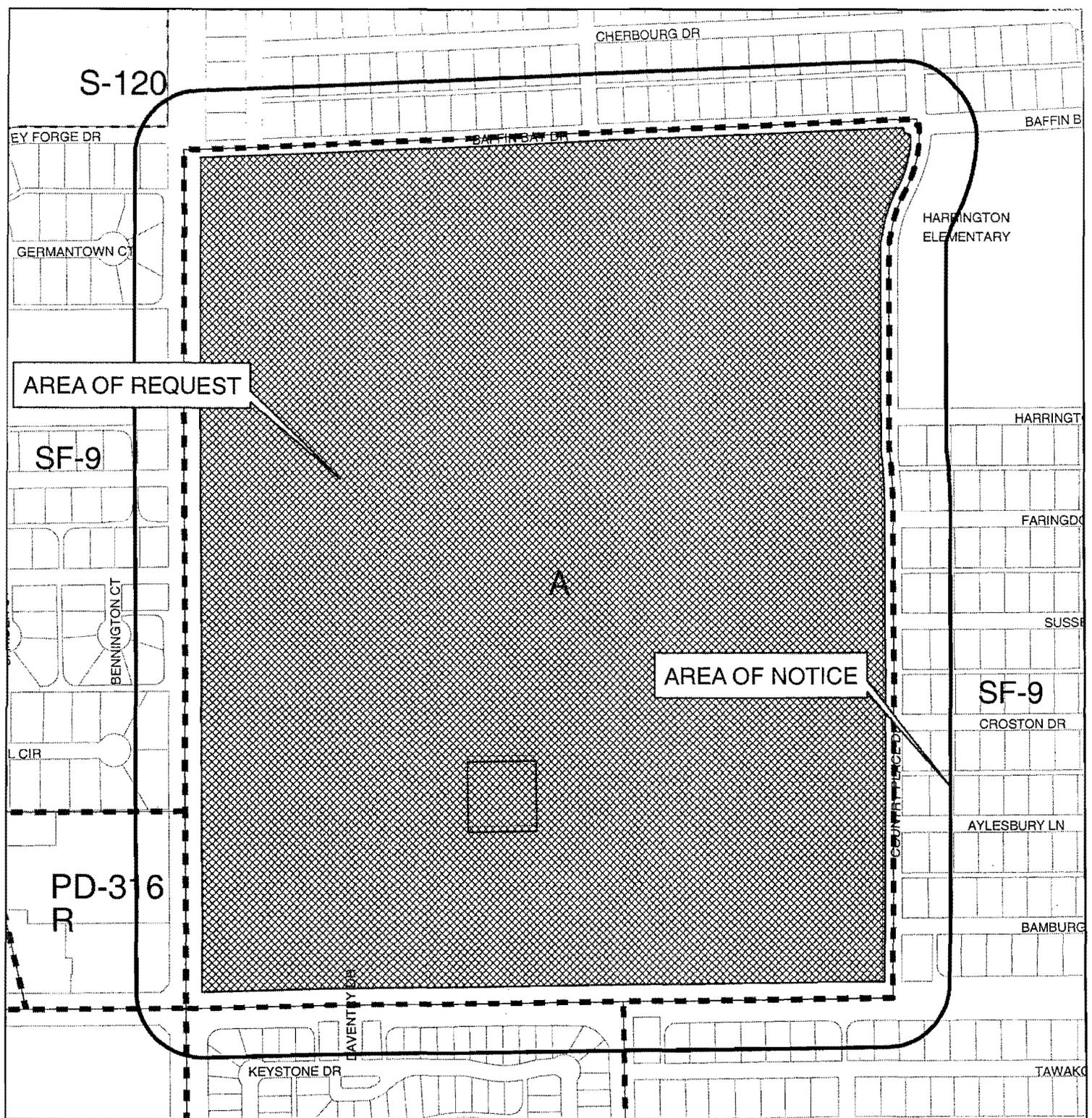
The city's land use policies do not support the retail portion of the request for several reasons. The Future Land Use Plan recommends residential uses and not retail uses for the subject property. In addition, the city's comprehensive planning policies, including the Rezoning Property to Meet Demand Policy Statement and the Tri-City Retail Study, recommend reducing retail zoned land to bring the city's land use into better balance. Based on these policies, staff recommends against the requested retail zoning.

Staff recommends that the planned retail area be considered for Single-Family Attached (SF-A) zoning instead of Retail. The SF-A district is consistent with the city's adopted land use policies, existing and proposed uses in the area, and strategies for improving the retail balance within the city. Additionally, the SF-A district provides flexibility for the types of residential lots that can be built within the district, since SF-A zoned property

can be developed in accordance with standards in the Patio Home, Two-Family Residence (Duplex) and single-family residence districts.

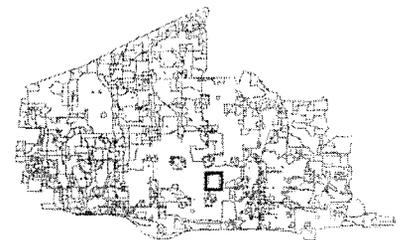
RECOMMENDATION:

Staff supports the residential portion of the zoning request and recommends approval subject to the Planning & Zoning Commission finding that Single-Family Residence Attached zoning is appropriate on the tract identified for Planned Development-Retail.

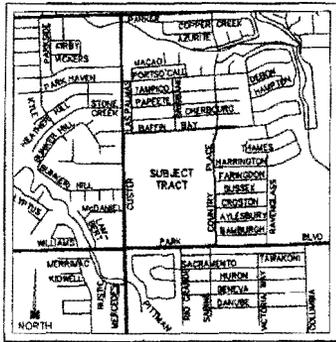


Zoning Case #: 2011-15

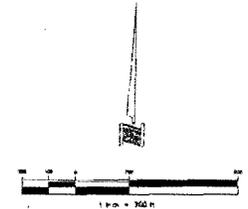
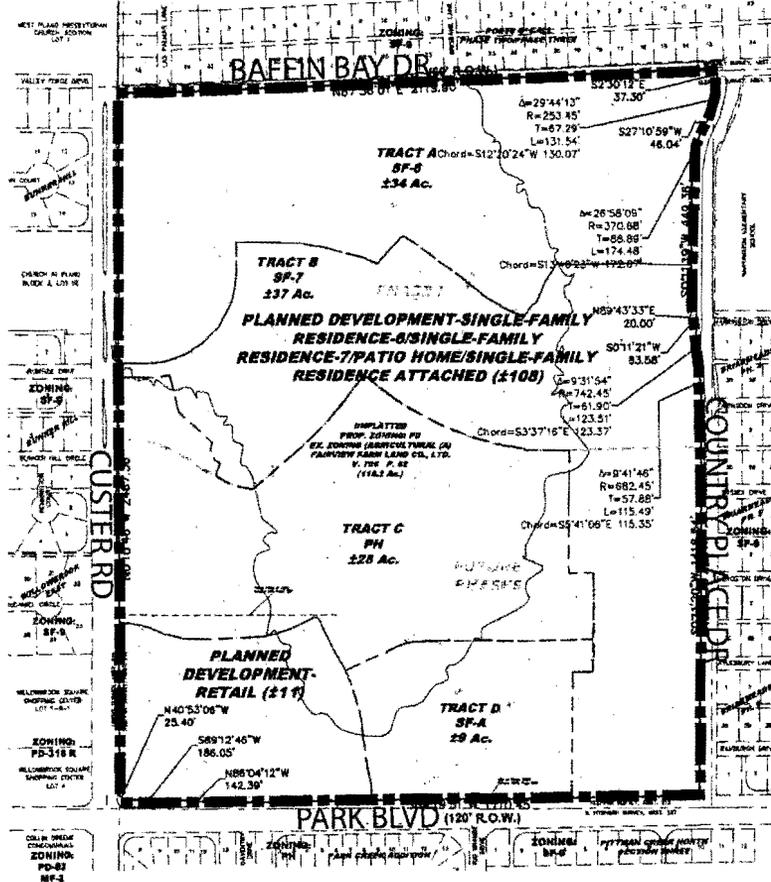
Existing Zoning: AGRICULTURAL



○ 200' Notification Buffer



LOCATION MAP
NOT TO SCALE



NOTES:

- 1) All SF-6, SF-7, PH, and SF-A lots will conform to the minimum lot width, depth, and area standards as defined in Plano zoning ordinance except as amended by the regulations.

NOTE:

Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, or plan, approval of development standards shown hereon, or the initiation of the development process. Planning & Zoning Commission and/or City Council action on studies, plats or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case.

OWNER/APPLICANT:

Fairview Farm Land Co., Ltd.
3314 N. Central Expressway, Ste. 100
Plano, TX. 75074
Contact: Rodney Haggard

PLANNER/ENGINEER/SURVEYOR:

Dowdey, Anderson & Associates, Inc.
5225 Village Creek Dr., Ste. 200
Plano, TX. 75093
Contact: Matt Alexander

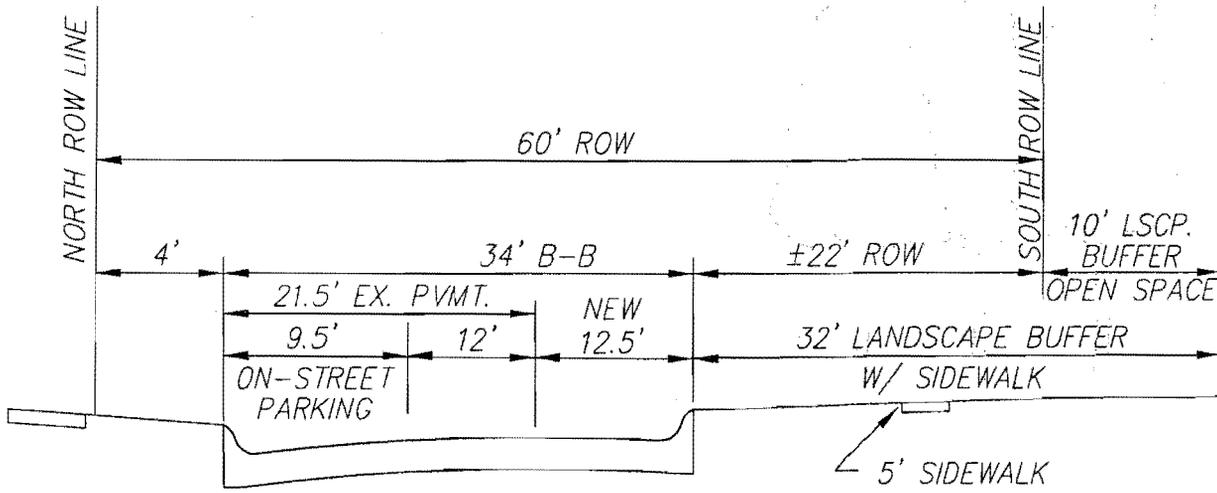
ZONING EXHIBIT

**HAGGARD
ESTATES**

119.264 Acres
KLEPPER SURVEY, ABST. 212
CITY OF PLANO, COLLIN COUNTY, TEXAS

PLANNER/ENGINEER
DOWDEY, ANDERSON & ASSOCIATES, INC.
825 Village Creek Drive, Suite 200, Plano, Texas 75093 972-412-1244

Exhibit "A"



PROPOSED PAVEMENT SECTION — BAFFIN BAY

N.T.S.

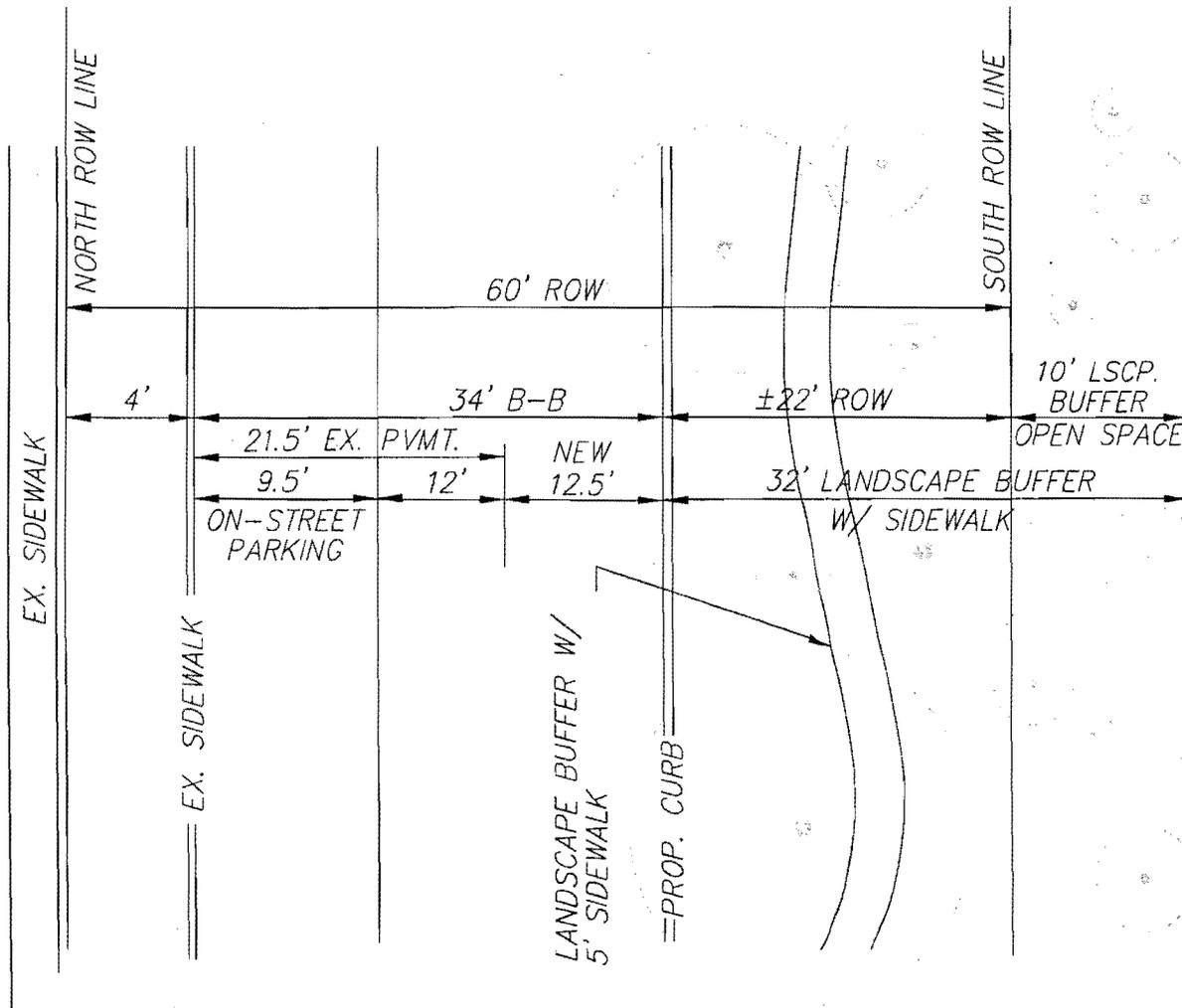
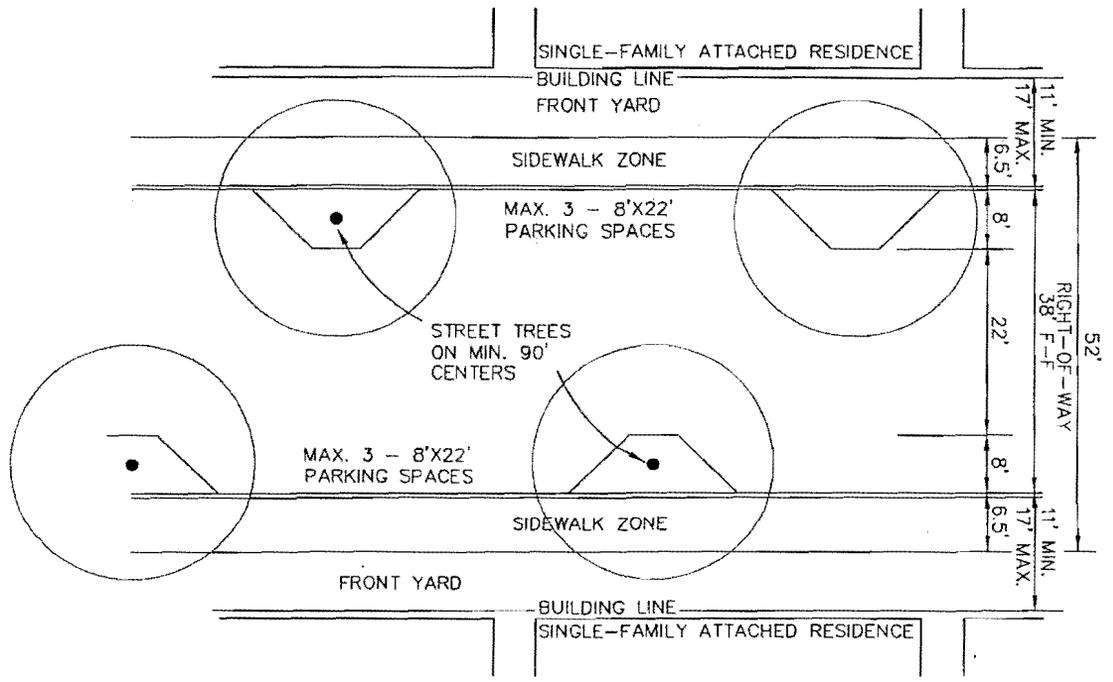
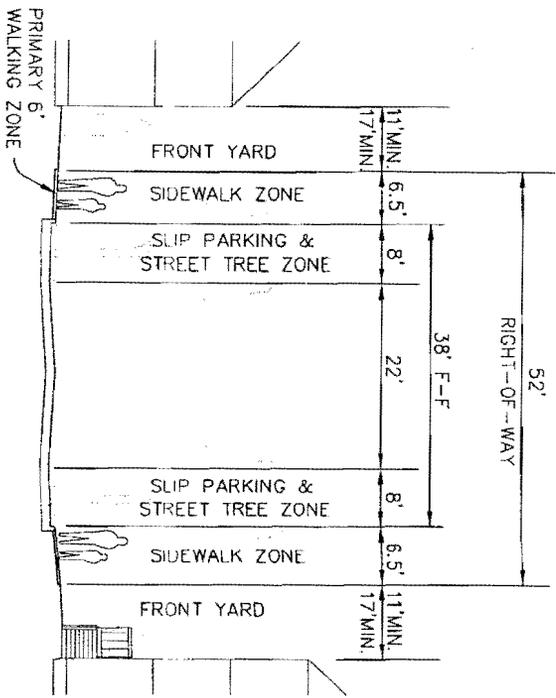


Exhibit "B"



CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 6B

Concept Plan: Haggard Estates

Applicant: Fairview Farm Land Co. Ltd

DESCRIPTION:

131 Single-Family Residence-6 lots, 128 Single-Family Residence-7 lots, 122 Patio Home, 78 Single-Family Residence Attached lots, 25 open space lots, and retail on 119.2± acres located at the northeast corner of Custer Road and Park Boulevard. Zoned Agricultural. Neighborhood #46.

REMARKS:

This concept plan is associated with Zoning Case 2011-15 and is contingent upon approval of this zoning case. The purpose for the concept plan is to show the proposed lot and street layouts for the residential and retail development.

This concept plan proposes a development consisting of 131 Single-Family Residence-6 lots, 128 Single-Family Residence-7 lots, 122 Patio Home lots, 78 Single-Family Residence Attached lots, 25 open space lots, and retail. The residential lot layout has been designed to create a network of larger open spaces provided throughout the development. In addition, the concept plan illustrates the proposed landscape edges and buffers surrounding the proposed development.

The concept plan also illustrates the proposed street network and proposed alternate street sections for Baffin Bay Drive and Tract D. The proposed street layout disperses traffic to all of the adjacent streets. The retail portion of the development has direct access to Park Boulevard and Custer Road. It is also bounded by two streets with 60-foot rights-of-way, designed to collect traffic from both the retail and residential portions of the development.

This concept plan reflects the zoning requested in Zoning Case 2011-15. Staff supports the design for the residential portion of the development as shown on this concept plan. However, due to staff not supporting the retail portion of the zoning request, staff does not support approval of this concept plan as submitted.

Since the requested zoning is a planned development, the zoning request must be accompanied by a concept plan. If the Commission determines to recommend approval

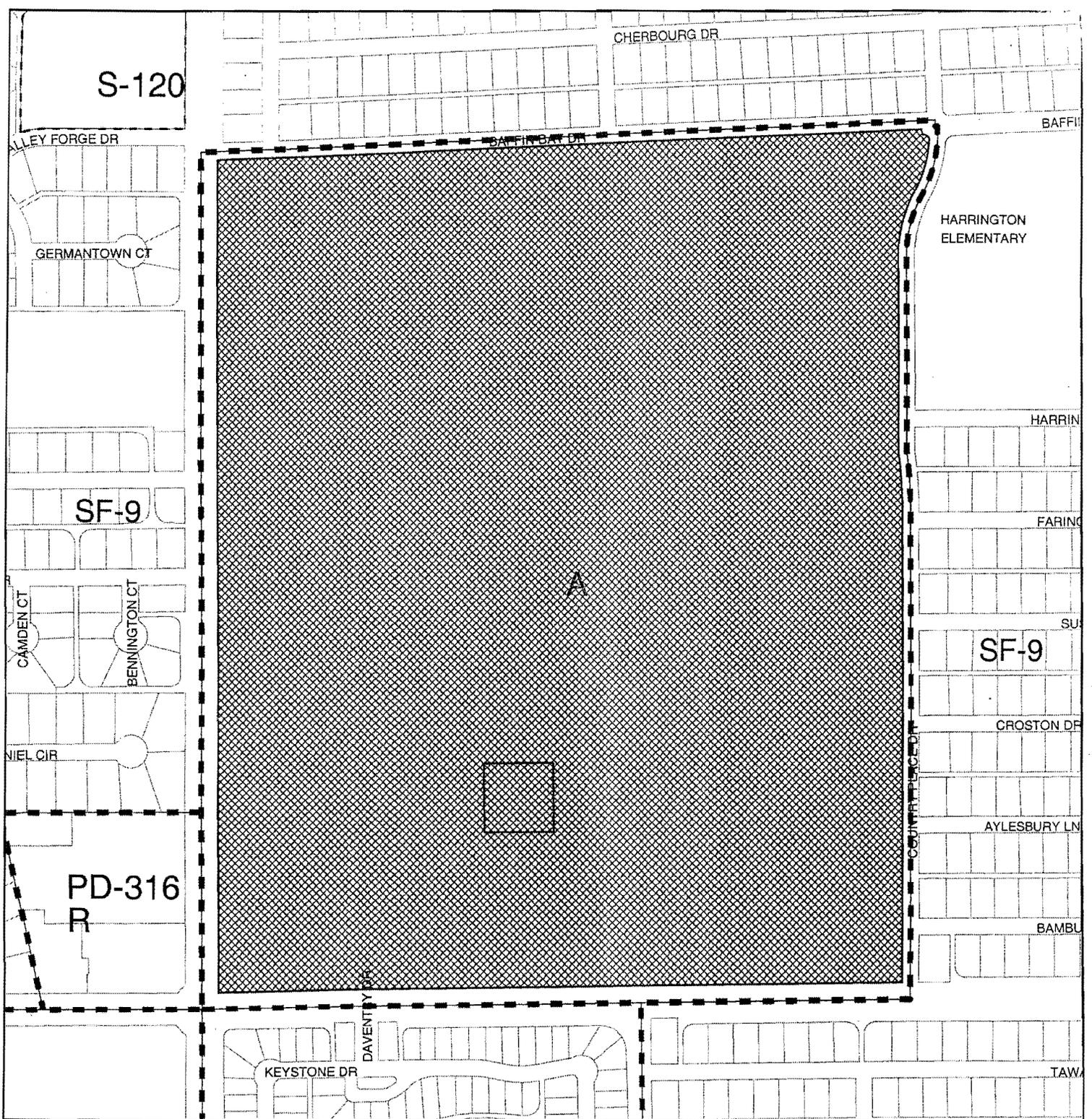
of the zoning request as submitted, staff does not object to the proposed retail layout shown on the concept plan since it is consistent with the proposed Planned Development (PD) stipulations provided in Zoning Case 2011-15.

Should the Commission be favorable to the zoning request with amendments that affect the concept plan, and the applicant concurs with the proposed amendments, staff recommends tabling both the zoning request and concept plan to allow the applicant time to revise the concept plan accordingly.

RECOMMENDATION:

Recommended for denial due to staff's recommendation for companion Zoning Case 2011-15 of Single-Family Residence Attached zoning for the retail portion of the plan.

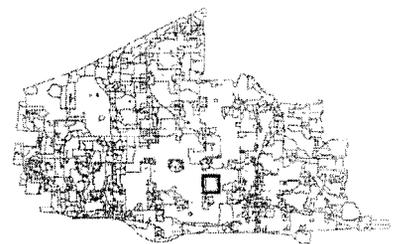
If the Planning & Zoning Commission recommends approval of the companion Zoning Case 2011-15 as submitted, then staff recommends approval of the concept plan as submitted.



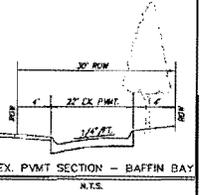
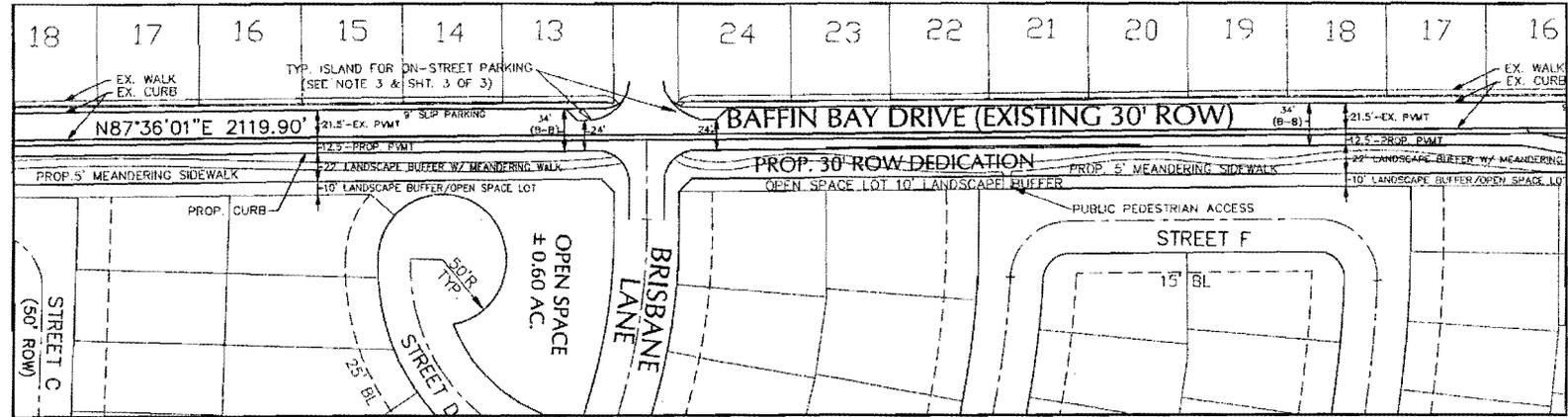
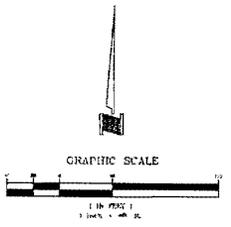
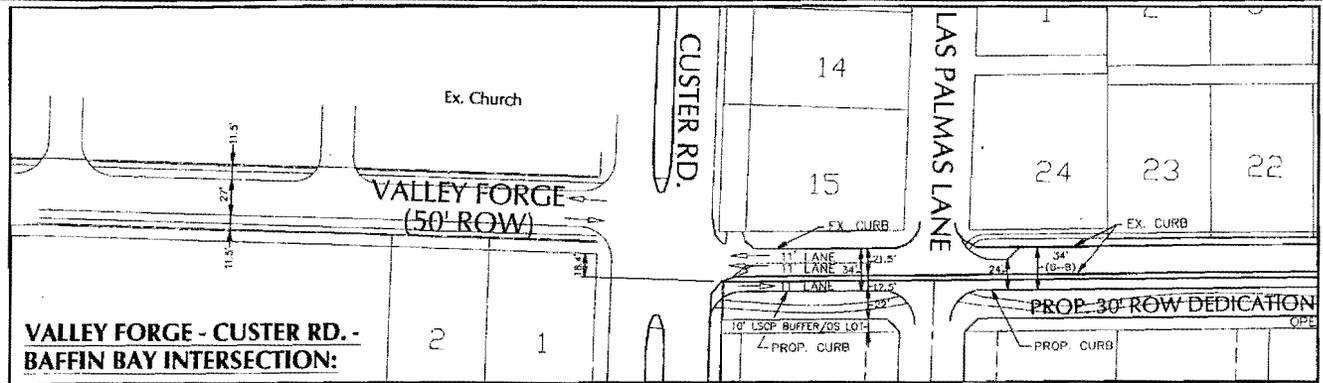
Item Submitted: CONCEPT PLAN

Title: HAGGARD ESTATES

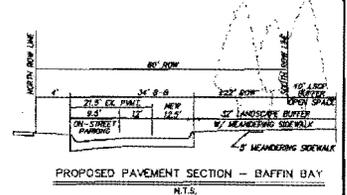
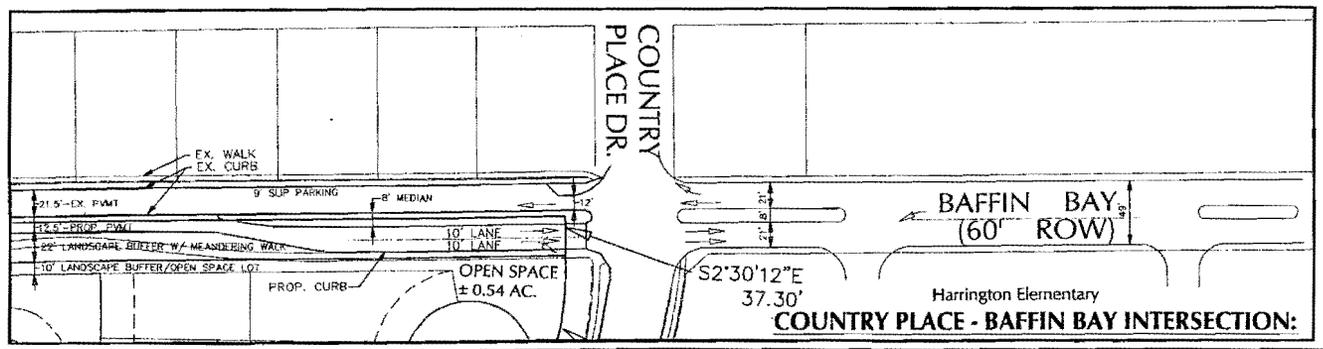
Zoning: AGRICULTURAL



○ 200' Notification Buffer



BRISBANE LANE - BAFFIN BAY INTERSECTION:



CONCEPT PLAN - PHASE I						
HAGGARD ESTATES						
KLEPPER SURVEY ABSTRACT NO. 212						
CITY OF PLANO, COLLIN COUNTY, TEXAS						
DOWDEY, ANDERSON & ASSOCIATES, INC. 5215 Village Creek Drive, Suite 100, Plano, Texas 75091 972/911-0204 STATE REGISTRATION NUMBER: E3398						
DESIGN	DRAWN	CHECKED	DATE	SCALE	SJG	SHET
ADWA	ISA	MSD	08/27/2011	1"=40'	10000A	3

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 7

Public Hearing: Zoning Case 2011-24

Applicant: Jetzamany Velazquez

DESCRIPTION:

Request for Specific Use Permit for Day Care Center (In-home) on 0.1± acre located on the east side of Grenoble Court, 110± feet north of Renaissance Drive. Zoned Planned Development-74-Single-Family Residence-7, Two-Family Residence (Duplex), and Planned Residential District-7.

REMARKS:

The requested zoning is a Specific Use Permit (SUP) for Day Care Center (In-home). The Zoning Ordinance defines day care center (in-home) as an operation providing care in the caretaker's residence for less than 24 hours a day for up to 12 children under the age of 14, provided that the total number of children, including the caretaker's own children, is no more than 12 at any time. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

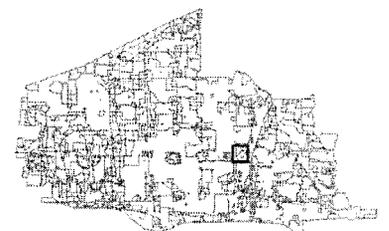
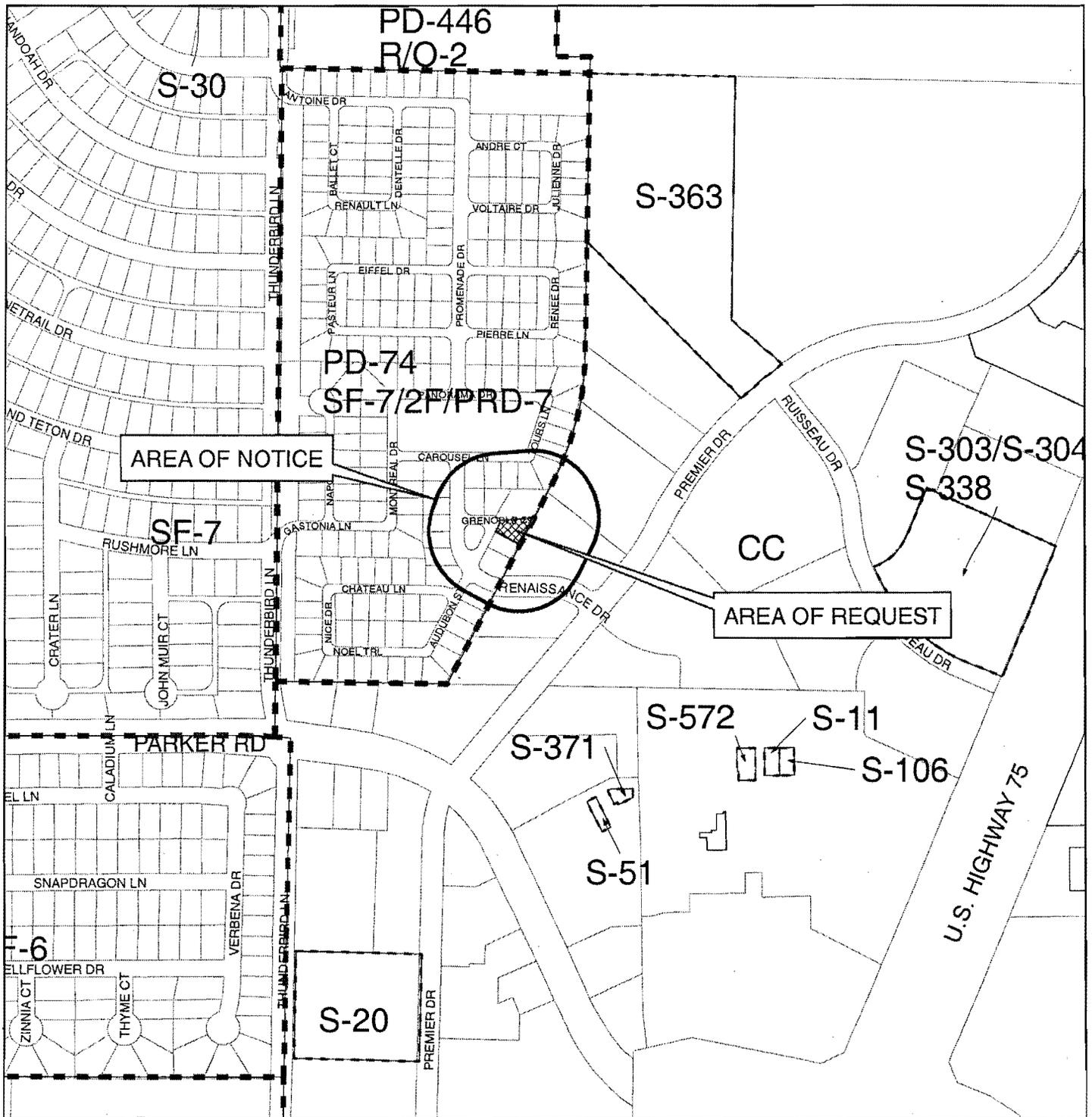
The State of Texas requires an annual fire safety inspection for in-home day care centers. In addition, the Building Inspections Department requires in-home day care centers to have a fire safety inspection in order to receive or renew a Certificate of Occupancy (CO). A CO requires an annual renewal.

This is an existing in-home day care center and the applicant is seeking an SUP in order to provide child care to more than eight children. This in-home day care center has been in operation since 2008 providing child care for five children until the end of 2010 when the number of children increased to 10 children. The Zoning Ordinance requires an SUP for in-home day care center that provides care to more than eight children. Due to the increased number of children since the end of 2010, the applicant could not renew their CO without an SUP for Day Care Center (In-home) to meet the Zoning Ordinance requirements, as well as to meet the state requirement as noted above. The applicant is also required to comply with Subsection 3.110 (Home

Occupations) of Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) of the Zoning Ordinance. Children at this in-home day care center are dropped off and picked up at different times, in order to minimize possible traffic problems within the neighborhood. In addition, Grenoble Court's round about design (the right-of-way that serves the subject residential property) provides good traffic circulation during drop off and pick up times.

RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2011-24

Existing Zoning: PLANNED DEVELOPMENT-74-SINGLE-FAMILY RESIDENCE-7,
TWO-FAMILY RESIDENCE (DUPLEX), &
PLANNED RESIDENTIAL DISTRICT-7

○ 200' Notification Buffer



REPLY FORM

Planning & Zoning Commission
P.O. Box 860358
Plano, TX 75086-0358

Dear Commissioners:

This letter is regarding zoning case 2011-24. This is a request for Specific Use Permit for Day Care Center (In-home) on 0.1± acre located on the east side of Grenoble Court, 110± feet north of Renaissance Drive. Zoned Planned Development-74-Single-Family Residence-7, Two-Family Residence (Duplex), & Planned Residential District-7. The current zoning is Planned Development-74-Single-Family Residence-7, Two-Family Residence (Duplex), & Planned Residential District-7 (PD-74-SF-7/2F/PRD-7). The SF-7 district is intended to provide for areas of urban single-family development on moderate-size lots, protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living. The 2F district is designed to provide for areas of two-family development that are consistent in design and in development patterns with typical single-family detached development. The 2F district is intended to encourage single-family ownership by permitting the division of a 2F lot along the common wall of the two residential units of a duplex. A planned development 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 on-site conditions. The requested zoning is a Specific Use Permit (SUP) for Day Care Center (In-home). The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application. A day care center (in-home) is defined as an operation providing care in the caretaker's residence for less than 24 hours a day for up to 12 children under the age of 14, provided that the total number of children, including the caretaker's own children, is no more than 12 at any time.

*****PLEASE TYPE OR USE BLACK INK*****

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2011-24.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2011-24.

This item will be heard on **September 19, 2011, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed zoning change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

DAVID S. DRYDEN
Name (Please Print)

David S. Dryden PRESIDENT
Signature

3333 PREMIER DR. PLANO, TX
Address

9.2.11
Date

BM

SEE BACK OF PAGE FOR REQUIRED SIGNATURES

SEP 09 2011

PLANNING DEPT

Planning & Zoning Commission
P.O. Box 860358
Plano, TX 75086-0358

Dear Commissioners:

This letter is regarding zoning case 2011-24. This is a request for Specific Use Permit for Day Care Center (In-home) on 0.1± acre located on the east side of Grenoble Court, 110± feet north of Renaissance Drive. Zoned Planned Development-74-Single-Family Residence-7, Two-Family Residence (Duplex), & Planned Residential District-7. The current zoning is Planned Development-74-Single-Family Residence-7, Two-Family Residence (Duplex), & Planned Residential District-7 (PD-74-SF-7/2F/PRD-7). The SF-7 district is intended to provide for areas of urban single-family development on moderate-size lots, protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living. The 2F district is designed to provide for areas of two-family development that are consistent in design and in development patterns with typical single-family detached development. The 2F district is intended to encourage single-family ownership by permitting the division of a 2F lot along the common wall of the two residential units of a duplex. A planned development 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 on-site conditions. The requested zoning is a Specific Use Permit (SUP) for Day Care Center (In-home). The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application. A day care center (in-home) is defined as an operation providing care in the caretaker's residence for less than 24 hours a day for up to 12 children under the age of 14, provided that the total number of children, including the caretaker's own children, is no more than 12 at any time.

*****PLEASE TYPE OR USE BLACK INK*****

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2011-24.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2011-24.

This item will be heard on September 19, 2011, 7:00 p.m. at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed zoning change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

The home daycare has been open since Oct. 2008, with perfect score in Licensing standars, and even when has capacity of 12 no more than 10 children attend the program at one time. Provides childcare services at low cost to local families
By signing this letter, I declare I am the owner or authorized agent of the property at the address written below.

Jetzamany Velazquez
Name (Please Print)

Jetzamany Velazquez
Signature

3408 Grenoble Ct
Address

Sep. 8th. 2011
Date

Plano, TX 75023
BM

SEE BACK OF PAGE FOR REQUIRED SIGNATURES

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 8

Public Hearing: Zoning Case 2011-26

Applicant: City of Plano

DESCRIPTION:

Request to amend Subsection 3.1605 (Downtown Sign District) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance to allow for reader board/electronic message center signs.

REMARKS:

In 2009, the Planning & Zoning Commission and City Council evaluated various changes to the sign regulations including the wall signage calculation method for retail shopping centers, electronic message center signs with shorter image display time, and allowing for light pole banner signs. Since that time, sign types and designs have continued to change as businesses find new ways to advertise. Staff has continued to receive variance requests to the existing regulations and believes it is appropriate to consider whether or not the existing regulations need to be modified. At its meeting on May 16, 2011, the Commission called a public hearing to consider amendments to the signage regulations within the Zoning Ordinance. This zoning case is the first phase of proposed amendments to Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations).

Recently, the city received a request to allow for reader board/electronic message center signs within the Downtown Sign District. The Downtown Sign District regulates the construction of new signs and alterations made to existing signs to ensure consistency with the historic, urban, and pedestrian-oriented nature of this district. The Downtown Sign District encompasses all properties that are zoned Downtown Business/Government (BG), and is further classified into two distinct areas, Area A and Area B, as delineated on the attached illustration.

Signs in this district have been generally designed to be compatible with the architectural composition of the building and the district so as to not obscure any architectural accent, pattern, or object on the structure. Currently, reader board/electronic message center signs are not allowed within the Downtown Sign District with the exception of municipal signs, which are allowed to have the reader board/electronic message center component. In 2009, the city received a Certificate of

Appropriateness to install a ten-foot by eight-foot LED reader board/electronic message center sign at the Cox Building Playhouse on H Avenue. This is the only sign of this type within the BG district.

Typically, LED signs are not used in historic areas with the exception of theaters, schools, and other institutional, entertainment, or performance venues. Given these types of uses, it may be appropriate to allow for freestanding reader board/electronic message center signs within the downtown area. Presently, institutional uses are allowed to have freestanding reader board/electronic message center signs elsewhere within the city, regardless if properties are zoned residential or nonresidential.

Section 3.1600 (Sign Regulations) defines an institution sign as, "any sign used to identify schools, religious facilities, hospitals, childcare facilities, and similar public or quasi-public institutions." The existing reader board/electronic message center sign at the Cox Building Playhouse has been beneficial to the building and the activities which operate therein, and staff believes other institutional uses within the Downtown Sign District should be provided the opportunity to install reader board/electronic message center signs.

Area B includes several institutional uses including religious facilities and public buildings. Area A does not contain any such institutional uses and is mainly composed of multifamily residences, retail, and office uses. The institutional buildings located within Area B would benefit from the proposed changes to the sign ordinance because of their placement and setbacks in relation to street rights-of-way. Additionally, lots within Area B are currently allowed to have pole signs, whereas lots within Area A are not allowed pole or monument signs. Therefore, staff supports amendments to the Downtown Sign District to allow institutional uses within Area B only to have freestanding monument signage, including allowing for these signs to have a reader board/electronic message center component.

RECOMMENDATION:

Recommended for approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Amend Subsection 3.1605 (Downtown Sign District) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) such portion of subsection to read as follows:

- 3. General Provisions
 - d. Sign Materials

Sign finish materials shall be one of the following:

- i. Metal, painted or enameled.
- ii. Cold cathode tube (neon).
- iii. Carved relief in stone or cast stone.
- iv. Wood or carved wood which is painted or sealed.

- v. The use of plastic on the exterior of a sign is prohibited, except on a marquee and institution signs.

e. Lighting of Signs

- i. All electrical shall comply with the currently adopted version of the National Electrical Code.
- ii. Buildings and signs may be illuminated by remote light sources provided that these light sources are shielded to protect adjacent properties.
- iii. No illuminated sign may contain flashing or moving elements or change its brightness. (Exception: historic signs.)
- iv. No signs, except a marquee and institution signs, may be illuminated by fluorescent or back lighting. Institution signs with a reader board/electronic message center shall be illuminated in accordance with 3.1603(7). (Exception: historic signs.)

5. Signs Allowed/Prohibited

b. Prohibited Signs

The following signs are prohibited in the Downtown Sign District:

- i. Any sign not specifically permitted by this section is prohibited.
- ii. Any sign that flashes, blinks, revolves, or is put into motion by the atmosphere will not be permitted unless otherwise allowed in 3.1605.
- iii. Portable signs, except for a-frame or sandwich board signs, will not be permitted.

6. Table of Permitted Signs

SIGNS PERMITTED IN EACH SUB-AREA OF THE DOWNTOWN SIGN DISTRICT		
Sign Type	Area A	Area B
A-frame/Sandwich Board Sign	X	X
Armature Sign		X
Awning Sign	X	X
Banner Sign	X	X
Directory Sign	X	X
Hanging Sign	X	X
<u>Institution Sign</u>		<u>X</u>
Marquee Sign	X	X

Pole Sign		X
Municipally-owned Sign	X	X
Mural Sign	X	X
Onsite Directional Sign	X	X
Projecting Sign	X	
Wall Sign - Attached	X	X
Window Sign	X	
(X = Permitted)		

7. Sign Standards

r. Institution Signs

Institution signs shall not exceed 32 square feet with a maximum height of six feet, and shall be monument-type signs. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from any adjoining property line. Institution signs are limited to one per street front along major streets only as defined by Subsection 8.222 (5)(a)(i).

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 9

Public Hearing: Zoning Case 2011-28

Applicant: City of Plano

DESCRIPTION:

Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), and related sections of the Zoning Ordinance pertaining to private recreation facility and recreation center uses.

REMARKS:

Earlier this year an appeal of the Director of Planning's interpretation was made regarding the appropriate use classification for outdoor athletic fields operated by a nonprofit organization as a Community Center. The Planning & Zoning Commission determined that an amendment to the Community Center definition to include outdoor athletic fields should be considered. Zoning Case 2011-16 was called for this purpose. After hearing this case, the Commission forwarded a revised definition for Community Center to the City Council. The Commission was agreeable to evaluating the zoning districts in which this use was allowed; however, they sought direction from Council first regarding the proposed definition revision.

On July 25, 2011, the Council considered Zoning Case 2011-16 including the Commission's recommendation. At this meeting, the Council denied the proposed amendment to the Community Center definition. The Council referred the item back to the Commission with direction to review the definitions of private recreation facility and recreation center, as well as to evaluate the zoning districts in which these two land uses are permitted. Below is information regarding each use for the Commission's consideration.

Private Recreation Facility

A private recreation facility is currently defined as "A recreation facility operated for the exclusive use of private residents or neighborhood groups and their guests and not the general public." Examples of private recreation facilities are amenities, such as a clubhouse or pool, provided within a single-family residential neighborhood or within a

multifamily complex for the enjoyment of residents and their guests. Private recreation facility uses are presently allowed by right in the following zoning districts:

- SF-A - Single-Family Attached;
- PH - Patio Home;
- MH - Mobile Home;
- MF-1 - Multifamily-1;
- MF-2 - Multifamily-2;
- MF-3 - Multifamily-3;
- GR - General Residential; and
- All nonresidential districts except Downtown Business/Government.

Private recreation facility uses are allowed subject to approval of a specific use permit (SUP) in all other residential districts.

If the Commission deems it appropriate, the definition for private recreation facility could be expanded to offer additional clarification of the intent and range of activities covered by the definition (additions are underlined; deletions are shown as strike-through):

Private Recreation Facility or Area - A ~~recreation facility or area~~ that provides for sports, leisure, and recreation activities operated for the exclusive use of ~~private residents or neighborhood groups~~ its members and their guests and not the general public, which is owned and/or operated by a nonprofit organization.

The proposed amendment to this definition would allow for athletic fields and other activities where structures or facilities may not be needed, to occur on sites in use as a private recreation facility or area. The following issues are for the Commission’s consideration related to the proposed definition change:

Permitted Districts:

With regard to the residential districts where this use is currently allowed by right (i.e. SF-A, PH, GR, and MF districts), the activities referenced within the proposed definition for private recreation facility or area are consistent with the intensity of uses typically found within these moderate to higher density residential districts:

Single-Family Attached and Patio Home Districts - These districts are intended to provide for single-family housing in a medium density range. The required open space provided in these districts is an integral part of the development. Private recreation facilities that include amenities such as swimming pools, clubhouses, and tennis courts are allowed to satisfy open space requirements and are commonly provided.

General Residential District - This zoning district provides for infill residential development that is consistent with the unique character of the Douglass Community near downtown Plano. Integral to this district is the existing Douglass Community Center which serves the immediate neighborhood and surrounding areas.

Multifamily Districts - Multifamily districts generally have access to major arterial roadways and commonly contain amenities such as swimming pools, clubhouses, tennis courts, sand volleyball, and basketball courts. When comparing the scale of permissible developments within the multifamily districts, multifamily developments may be constructed to allow for two to three story buildings with a maximum height ranging from 35 feet to 45 feet. The traffic generation associated with a multifamily development has the potential to be significantly higher when compared to a private recreation facility or area. Screening is also required between multifamily zoned properties and single-family zoned properties.

Existing Private Recreation Facilities:

Since the proposed definition is still consistent with the existing definition of private recreation center, the changes to the definition do not cause any existing private recreation center uses to become nonconforming uses. The proposed definition provides for leisure activities in addition to recreational activities, which is consistent with the operation of private recreation facilities that have clubhouses as amenities.

Structural Improvements:

The proposed definition removes the implication that structures or other man-made facilities are being provided, and allows for land area to be used without structural improvements.

Operational Requirements:

Regardless of where private recreation facilities or areas are located within the city, in addition to development standards provided for in the Zoning Ordinance, these facilities/areas shall comply with performance standards established in the Zoning Ordinance and Municipal Code of Ordinances.

Based on the above analysis, staff recommends amending the definition as proposed and maintaining the existing regulations relating to permitted and prohibited districts for this use.

Recreation Center

Recreation center is currently defined as: "A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities." This definition appears to have been historically applied to city-owned facilities although, not in all instances because some city facilities have been classified as other uses (i.e. park/playground, community center, and senior center). Regardless, municipally-owned facilities are allowed by right in all districts. The recreation center definition overlaps to some extent other definitions within the Zoning Ordinance including private recreation facility, health/fitness center, community center, and park/playground.

The recreation center use is prohibited in all residential districts. Recreation centers are permitted in all nonresidential districts with the exception of Neighborhood Office (O-1), Light Industrial-1 (LI-1) and Light Industrial-2 (LI-2) districts.

No modifications to the definition of recreation center would be required to accommodate athletic fields. Modifications to the use charts would be necessary to allow recreation centers in some or all residential districts due to the use currently being prohibited in the residential districts. If the Commission determines that the recreation center use is intended to only apply to municipally-owned facilities, the definition could be amended as follows:

“Recreation Center - A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, owned and/or operated by a governmental agency.”

As noted above, the Zoning Ordinance currently prohibits recreation centers in all residential districts. Since, municipally-owned facilities can be built in any zoning district, it is not necessary to amend the districts in which this use is allowed.

Staff recommends no action be taken at this time regarding the recreation center definition. Instead, staff recommends that the private recreation facility definition be amended as presented below.

RECOMMENDATION:

Recommended that the definition for “private recreation facility” be changed to read as follows: (Additions are in underlined text; deletions are shown as strikethrough text)

Amend Section 1.600 (Definitions) of Article 1 (General Regulations), such definition to read as follows:

Private Recreation Facility or Area - A ~~recreation facility or area~~ that provides for sports, leisure, and recreation activities operated for the exclusive use of ~~private residents or neighborhood groups, its members,~~ and their guests and not the general public, which is owned and/or operated by a nonprofit organization.

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 10

Public Hearing - Replat: Collin Creek Phase II Addition, Block B, Lot 2R

Applicant: Raising Cane's Chicken Fingers

DESCRIPTION:

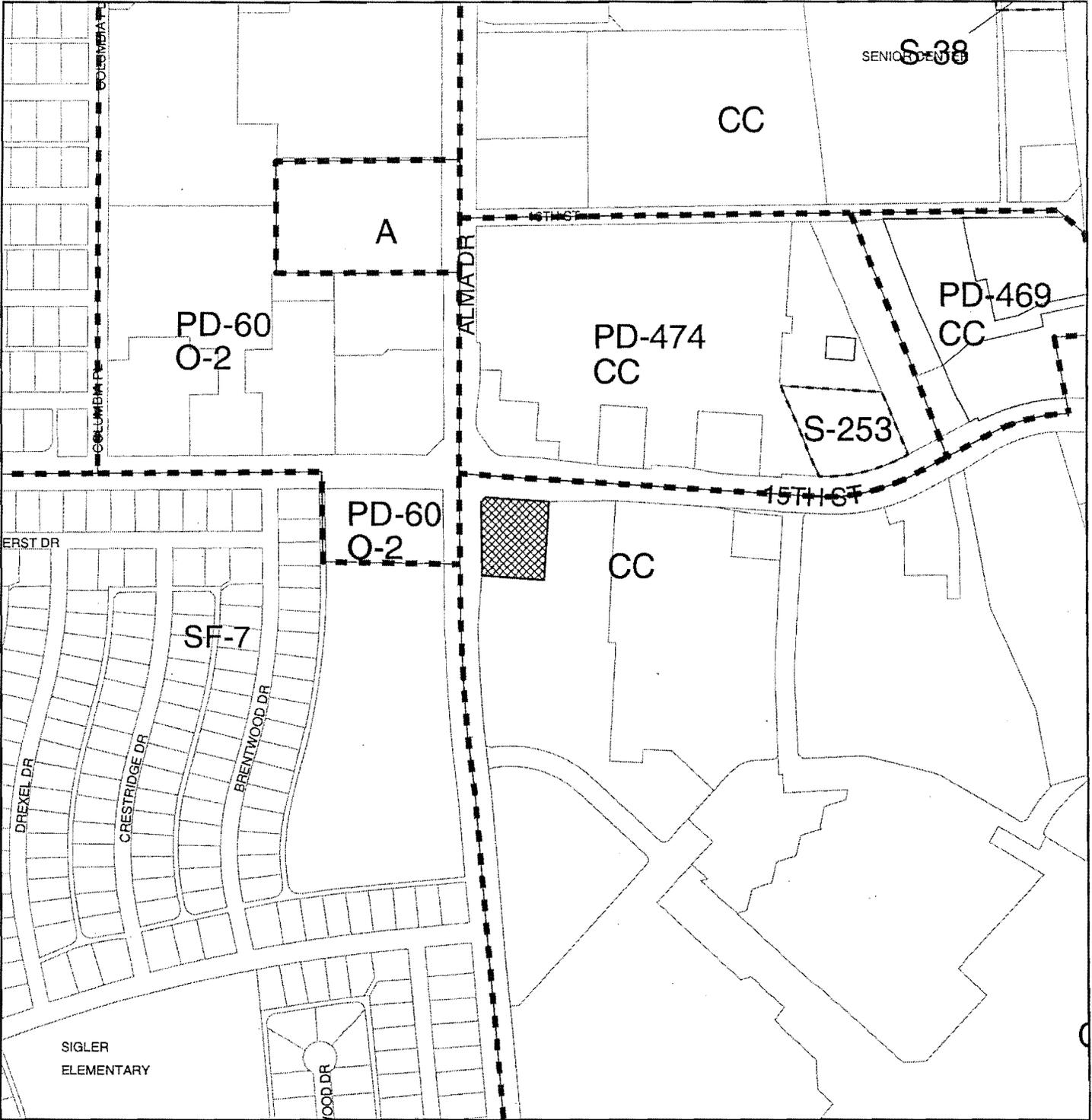
Restaurant on one lot on 1.2± acres located at the southeast corner of 15th Street and Alma Drive. Zoned Corridor Commercial. Neighborhood #66.

REMARKS:

The purpose for the replat is to abandon and dedicate easements necessary for the redevelopment of the site as a restaurant.

RECOMMENDATION:

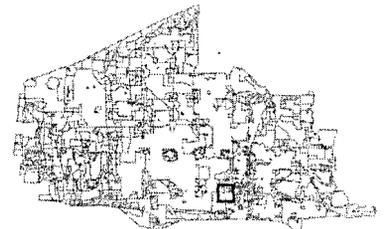
Recommended for approval as submitted.



Item Submitted: REPLAT

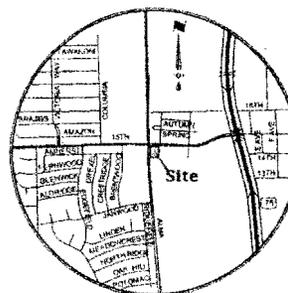
Title: COLLIN CREEK PHASE II ADDITION
BLOCK B, LOT 2R

Zoning: CORRIDOR COMMERCIAL

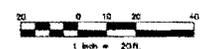
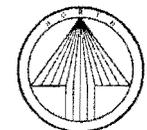


○ 200' Notification Buffer



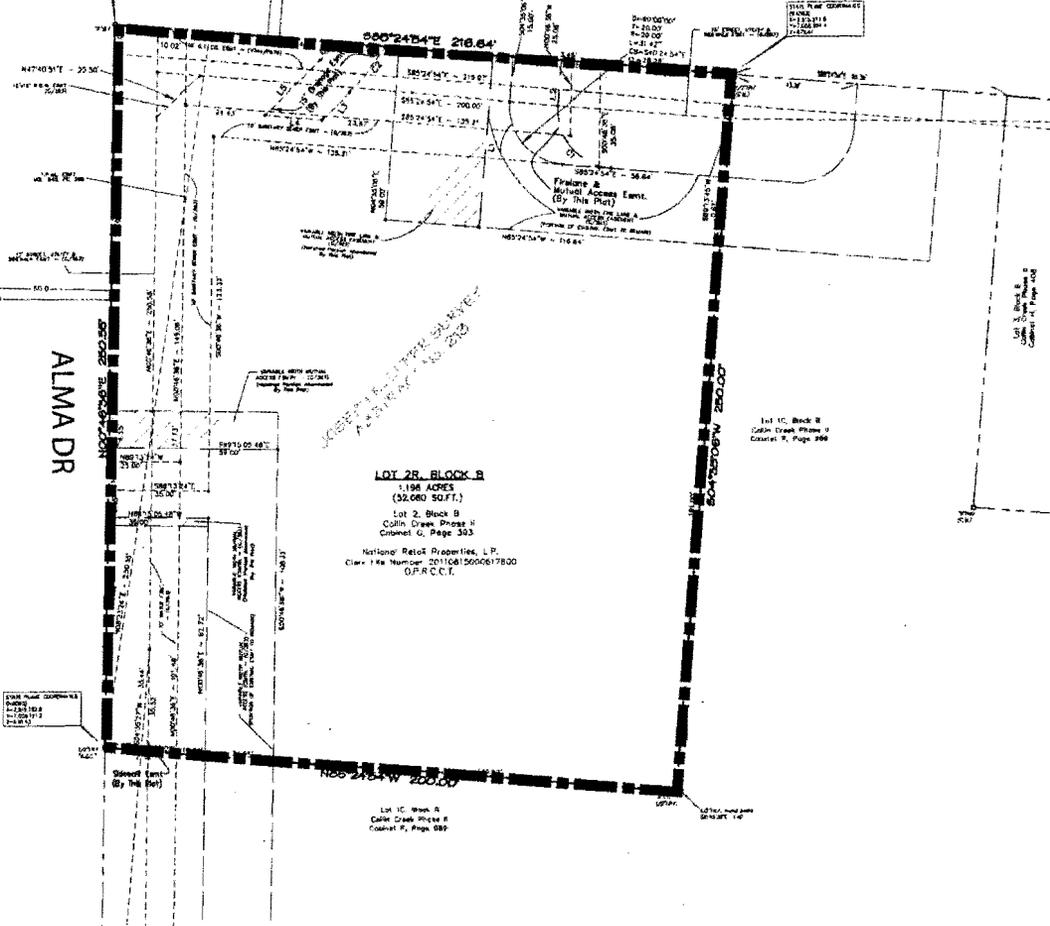


Vicinity Map
N.T.S.



POINT OF BEGINNING

15th ST
(100' R.O.W)



Easement Line Table

Line	Length	Bearing
L1	59.00	N 54°35'06" E
L2	18.00	S 04°25'06" W
L3	13.41	S 46°19'15" W
L4	20.10	N 05°24'54" W
L5	26.78	N 46°19'15" E

Easement Curve Table

Curve	Radius	Length	Delta	Tangent	Chord	Chord Bearing
C1	70.00	77.47	97°00'00"	20.40	28.38	S 40°54'41" E
C2	67.00	70.20	103°14'41"	16.10	20.16	S 38°42'24" W
C3	72.50	81.31	08°33'57"	4.76	6.30	N 43°02'19" E

BASE OF BEARINGS:
Bearings based on monuments found and the plot of Lot 2, Block B Collin Creek Phase II as recorded in Cabinet G, Page 393.

NOTICE:
Being a portion of the addition by metes and bounds is a violation of City Ordinance and State Platting Statutes and is subject to fines and withholding of utilities and building certificates.

PURPOSE OF REPLAT:
The Purpose of this Replat is to Dedicate and Abandon Easements for Development.

LOT 2R, BLOCK B
1.196 ACRES
(52,080 SQ.FT.)
Lot 2, Block B
Collin Creek Phase II
Cabinet G, Page 393
National Retail Properties, L.P.
Case File Number: 20110815000617800
D.P.R.C.C.I.

SHEET 1 OF 2
REPLAT
OF
COLLIN CREEK PHASE II ADDITION
LOT 2R, BLOCK B - 1.196 Acres
OF
COLLIN CREEK PHASE II ADDITION
LOT 2, BLOCK B - 1.196 Acres
CAB. G PG. 393
situated in the
JOSEPH KLEPPER SURVEY ~ ABSTRACT 213
CITY OF PLANO, COLLIN COUNTY, TEXAS

Engineer/Surveyor:
Splera Engineering, Inc.
785 Custer Road, Suite 100
Plano, Texas 75075
Telephone (972) 422-0077
Contact: John Splera

Owner:
National Retail Properties, L.P.
450 South Orange Avenue, Suite 900
Orlando, Florida 32801
Fax (321) 206-2134

1 Lot
1.196 Ac. (Gross)

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

Whereas National Retail Properties, L.P. is the owner of a tract of land described in Speeded Warranty Deed recorded under clerk file number 20110815000817800, Official Public Records, Collin County, Texas located in the Joseph Klepper Survey, Abstract No. 213, City of Plano, Collin County, Texas, and being all of Lot 2, Block B Collin Creek Phase II Addition, an addition to the City of Plano, Collin County, Texas, as recorded in Cabinet G, Page 393, Plat Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at "x" set at the northeast corner of said Lot 2 and also being at the intersection of the east line of Alma Drive (100' Right-of-Way) and the south line of 15th Street (100' Right-of-Way);

THENCE South 85°24'34" East along said south line of 15th Street and the north line of said Lot 2, for a distance of 218.84 feet to a 1/2 inch iron rod found (or common corner of said Lot 2 and the most northern northeast corner of Lot 1C, Block B Collin Creek Phase II Addition, an addition to the City of Plano, Collin County, Texas, as recorded in Cabinet F, Page 899, Plat Records, Collin County, Texas;

THENCE South 04°35'06" West along the common line of said Lots 1C and 2, for a distance of 250.00 feet to a 1/2 inch iron rod found;

THENCE North 85°24'54" West along the common line of said lots, for a distance of 200.00 feet to a 1/2 inch iron rod found in said east line of Alma Drive;

THENCE North 00°48'36" East along said east line, for a distance of 250.55 feet to the Point of Beginning and containing 32,080 square feet or 1.196 acres of land.

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF COLLIN

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT National Retail Properties, L.P. acting by and through their duly authorized officers, does hereby adopt this report designating the herein above described as COLLIN CREEK PHASE II ADDITION - LOT 2A, BLOCK B, an addition to the City of Plano, Texas, and do hereby dedicate, in fee simple, for public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Plano. In addition, Utility Easements may also be used for the mutual use accommodation of all public utilities desiring to use or using same unless this easement limits the use to particular utilities, said use by public utilities being subordinate to the Public and City of Plano's use thereof. The City of Plano and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of their respective systems on said Easements. The City of Plano and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time of procuring permission from anyone.

That the undersigned does hereby covenant and agree that he shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstructions, including but not limited to the parking of motor vehicles, trailers, boats or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking". The Fire Marshal or his duly authorized representative or the Chief of Police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

The undersigned does covenant and agree that the Access Easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, and for Fire Department and emergency use in, along, upon, and across said premises, with the right and privilege of all times of the City of Plano, its agents, employees, contractors and representatives having ingress, egress, and egress to, along, upon and across said premises.

This plat approved subject to all platting ordinances, rules, regulations, and resolution of the City of Plano, Texas.

Witness my hand this the _____ day of _____, 2011.

National Retail Properties, L.P.,
a Delaware limited partnership

By: NNN GP Corp., a Delaware corporation,
as General Partner

By:

Name: _____

Its: _____

STATE OF _____
COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this the _____ day of _____, 2011.

Notary Public in and for
The State of _____

SURVEYOR'S CERTIFICATE

I, Darren K. Brown, a Registered Professional Land Surveyor, hereby certify that I have performed an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the plotting rules and regulations of the City of Plano, Texas.

Darren K. Brown
Registration No. 5262



STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Darren K. Brown, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this the _____ day of _____, 2011.

Notary Public in and for
The State of Texas

CERTIFICATE OF APPROVAL

APPROVED this _____ day of _____, 2011, by the
Planning and Zoning Commission, City of Plano, Texas.

Chairman, Planning and Zoning Commission

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration thereof expressed.

Given under my hand and seal of office this the _____ day of _____, 2011.

Notary Public in and for
The State of Texas

Secretary, Planning & Zoning Commission
Or City Engineer

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration thereof expressed.

Given under my hand and seal of office this the _____ day of _____, 2011.

Notary Public in and for
The State of Texas

SHEET 2 OF 2
REPLAT
OF

COLLIN CREEK PHASE II ADDITION
LOT 2R, BLOCK B - 1.196 Acres

COLLIN CREEK PHASE II ADDITION
LOT 2, BLOCK B - 1.196 Acres

CAB. G, PG. 393
situated in the
JOSEPH KLEPPER SURVEY ~ ABSTRACT 213
CITY OF PLANO, COLLIN COUNTY, TEXAS

Engineer/Surveyor: Splore Engineering, Inc. 785 Cuarter Road, Suite 100, Plano, Texas 75075
Owner: National Retail Properties, L.P. 450 South Orange Avenue, Suite 900, Orlando, Florida 32801
Telephone (972) 422-0077 Fax (321) 206-2134
Contact: John Splore

1 Lot
1.196 Ac. (Gross)

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 11

Public Hearing - Replat: Trinity Presbyterian Church Addition,
Block A, Lots 2R, 4R, & 5

Applicant: RBN Hedge Investments, Ltd.

DESCRIPTION:

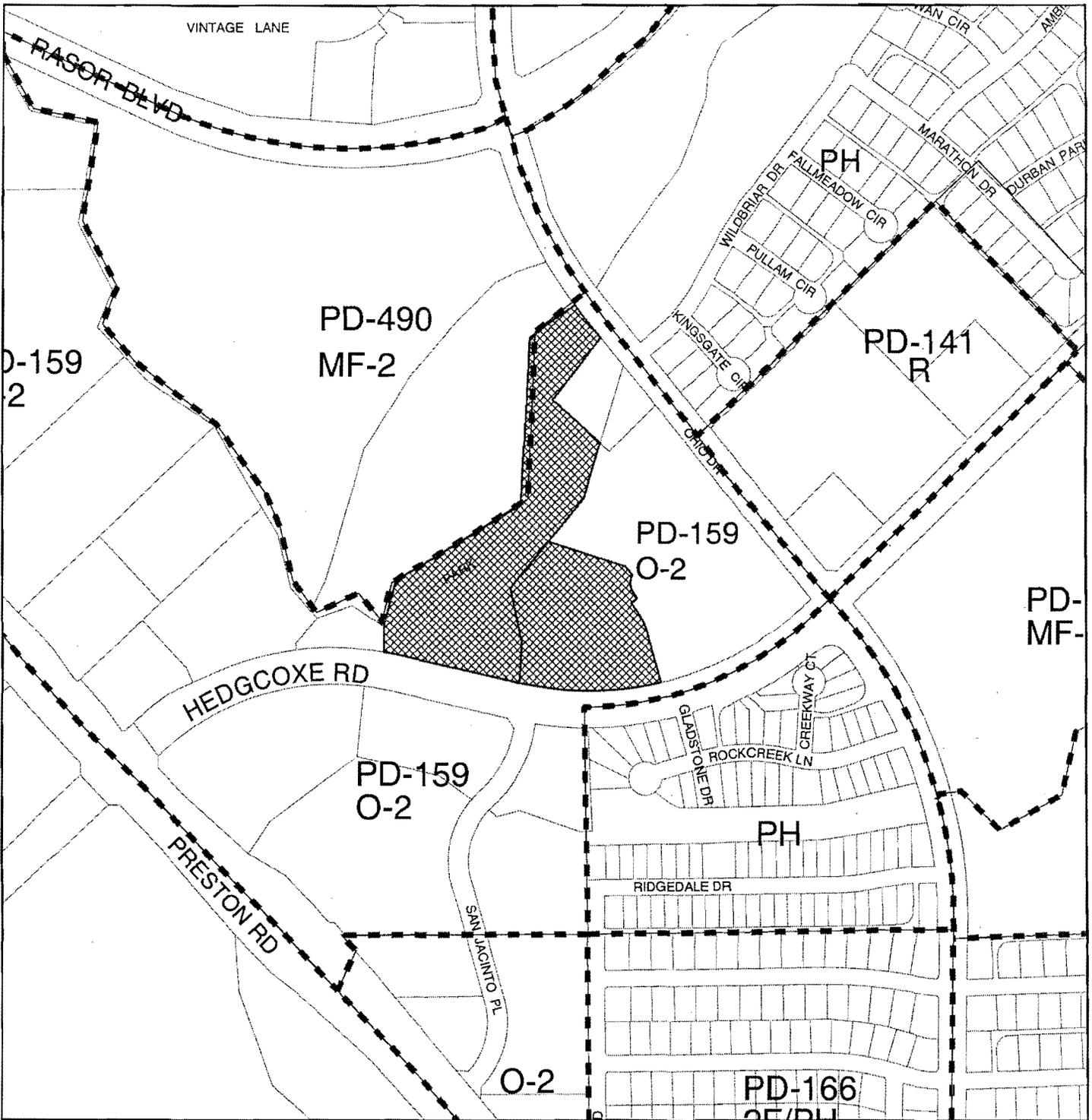
Medical office and day care center on two lots and one vacant lot on 9.3± acres located on the north side of Hedgcoxe Road, and the west side of Ohio Drive. Zoned Planned Development-159-General Office/Preston Road Overlay District. Neighborhood #4.

REMARKS:

The purpose for the replat is to subdivide Lot 4 into Lots 4R and 5, record a land exchange between Lots 2R and 4R, and dedicate easements necessary for the future development of Lots 4R and 5.

RECOMMENDATION:

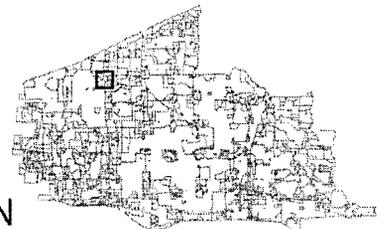
Recommended for approval as submitted.



Item Submitted: REPLAT

Title: TRINITY PRESBYTERIAN CHURCH ADDITION
BLOCK A, LOTS 2R, 4R, & 5

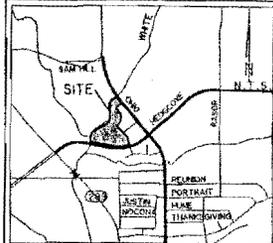
Zoning: PLANNED DEVELOPMENT-159-GENERAL OFFICE/
PRESTON ROAD OVERLAY DISTRICT



LINE	LENGTH	BEARING
L1	125.59	N03°10'18"E
L2	60.52	N03°37'04"W
L3	40.14	N04°19'50"E
L4	209.78	S03°11'47"E
L5	27.50	S44°18'50"W
L6	116.48	N04°12'48"W
L7	82.22	N04°32'23"E
L8	29.29	N07°14'10"E
L9	64.87	S04°28'17"E
L10	41.82	S30°23'50"W
L11	102.28	S12°37'04"E
L12	23.54	N00°10'24"W
L13	23.40	S00°10'24"E
L14	157.47	N00°10'24"W
L15	111.46	S09°43'36"W
L16	72.72	N09°21'50"E
L17	69.49	S72°09'17"E
L18	258.50	S00°10'24"E
L19	111.46	N09°43'36"E
L20	34.87	N00°10'24"W
L21	69.49	N72°09'17"W
L22	72.72	S09°21'50"W
L23	50.10	N04°10'40"W
L24	50.10	N04°20'40"W

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	67.49	1448.50	87°40'48"	S37°48'57"E	67.47
C2	41.27	32.00	57°31'04"	S06°10'21"E	57.78
C3	105.04	228.01	27°36'28"	S28°24'37"E	104.16
C4	433.57	845.00	78°17'25"	S09°46'59"W	439.78
C5	39.36	335.00	72°33'31"	S78°21'01"W	38.85
C6	43.13	345.00	7°38'04"	N70°51'48"W	43.13
C7	7.16	20.00	20°28'16"	N0°05'43"E	7.16
C8	30.73	20.00	86°02'21"	N44°11'54"W	27.90
C9	30.71	20.00	87°53'00"	S45°48'41"W	27.78
C10	7.33	20.00	20°52'26"	S10°40'08"E	7.29
C11	32.15	20.00	92°06'27"	N05°52'50"E	29.80
C12	31.42	20.00	90°10'00"	N45°10'24"W	29.28
C13	99.50	44.00	128°14'44"	S05°22'17"E	79.42
C14	26.56	44.00	68°26'52"	S73°37'17"W	49.49
C15	35.20	44.00	71°58'51"	N38°09'50"W	31.71
C16	32.18	20.00	92°10'37"	S46°15'52"E	29.82
C17	31.42	20.00	90°10'00"	N44°48'36"E	29.28
C18	25.13	20.00	71°58'53"	N36°09'50"W	23.31
C19	23.89	20.00	68°26'52"	S73°37'17"W	22.30
C20	45.23	20.00	82°34'44"	S09°23'17"E	36.19
C21	26.09	933.31	1°10'15"	N07°00'11"E	26.19

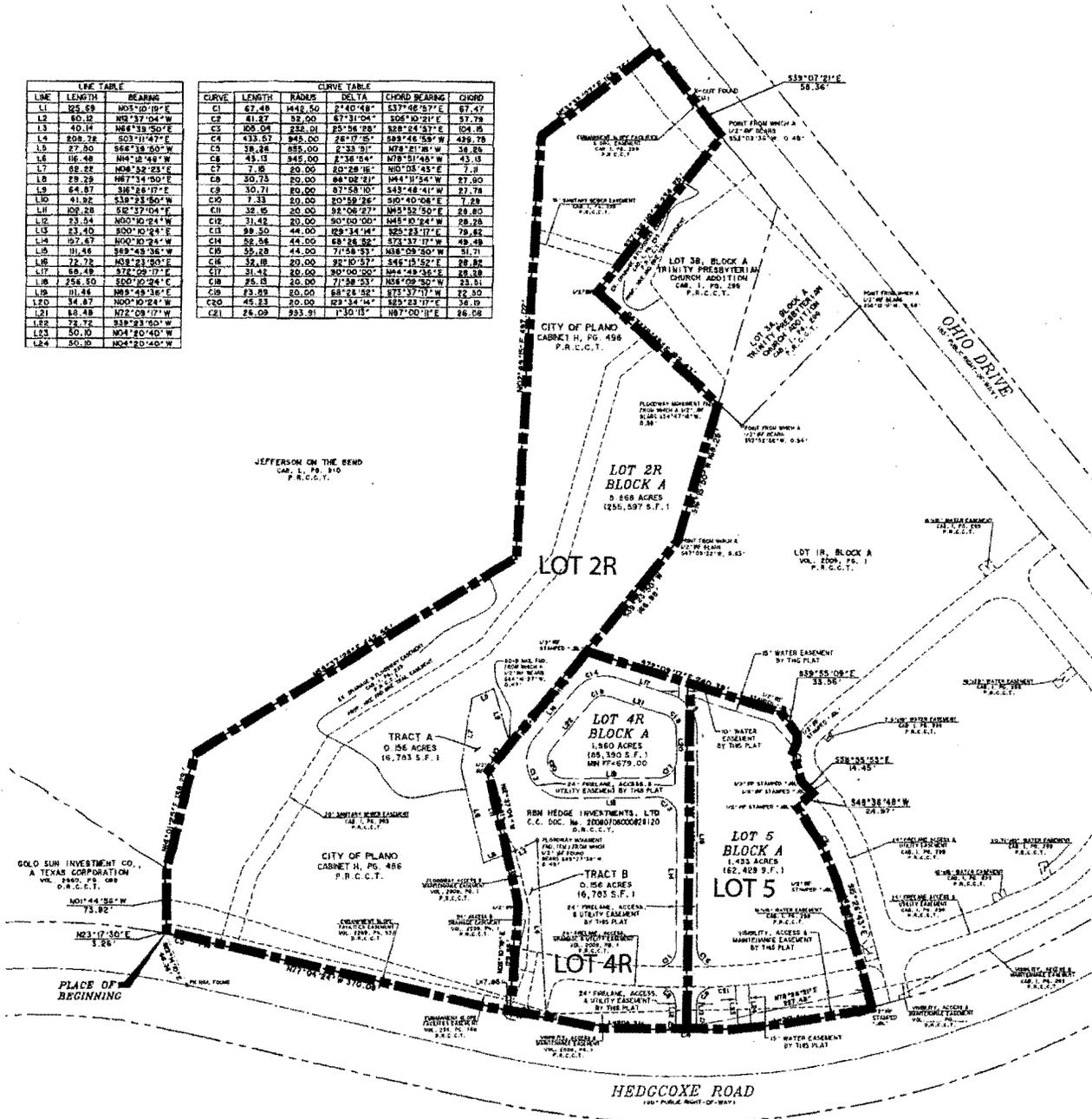
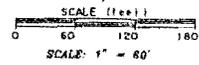
- NOTES:
- ALL IRON RODS SET AND FOUND WITH CAP STAMPED "WIERASSOC, INC." UNLESS NOTED OTHERWISE
 - NO FILLING, GRADING OR IMPROVEMENTS SHALL BE CONSTRUCTED IN DRAINAGE AND FLOODWAY EASEMENT EXCEPT LANDSCAPING WITHOUT PRIOR APPROVAL OF THE CITY ENGINEERING DIVISION.
 - NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES.
 - ALL BEARINGS ARE CORRELATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, ZONE 4902, MAG 43, UTILIZING THE CITY OF PLANO GPS MONUMENTS B-3 AND D-6.
 - MINIMUM FINISH FLOOR AT LEAST 2.0 FEET ABOVE GDD RAILY DEVELOPED FLOOD PLAN LEVEL 1989 WHITE ROCK CREEK STUDY BY HALP & ASSOCIATES, INC.
- THE PURPOSE OF THIS REPLAT IS TO SUBDIVIDE LOT 4 AND CREATE LOTS 4R AND 5. ALSO TO ADD THE EASEMENTS NECESSARY FOR BOTH LOTS AND RECORD A SWAP OF LANDS, TRACTS A AND B, BETWEEN CITY OF PLANO AND RHN HEDGE INVESTMENTS, LTD.



VICINITY MAP
N.T.S.

LEGEND

IR	IRON ROD FOUND
IRB	IRON ROD SET
CM	CONTROL MONUMENT
ACS	ALUMINUM CAP SET IN CONCRETE
P.R.C.C.T.	PLAT RECORDS
COLLN CO., TX	DEED RECORDS
D.R.C.C.T.	DEED RECORDS
COLLIN CO., TX	DEED RECORDS



**REPLAT
LOTS 2R, 4R & 5,
BLOCK "A"
TRINITY
PRESBYTERIAN
CHURCH ADDITION**
BEING A REPLAT OF LOTS 2R & 4, BLOCK A,
TRINITY PRESBYTERIAN CHURCH ADDITION,
AN ADDITION TO THE CITY OF PLANO,
COLLIN COUNTY, TEXAS, BEING 9.261 ACRES
OF LAND LOCATED IN THE
COLLIN COUNTY SCHOOL LAND SURVEY No. 7,
ABSTRACT No. 153, CITY OF PLANO,
COLLIN COUNTY, TEXAS.

OWNER LOT 2R:
CITY OF PLANO
1620 AVENUE K
PLANO, TEXAS 75086
(972) 941-7000

OWNER LOT 4R & 5:
RHN HEDGE INVESTMENTS, LTD.
2415 COIT ROAD, SUITE C
PLANO, TEXAS 75075
(972) 596-4355

PREPARED BY:
WIA WIER & ASSOCIATES, INC.
ENGINEERS SURVEYORS LAND PLANNERS
301 INDEPENDENCE BLVD. SUITE 200 PLANO, TEXAS 75075 (972) 941-7000
WWW.WIERANDASSOCIATES.COM
ISSUED 08/18/2011, CEN 75075-0001 (11/12)-0002
Issue 18: 08/18/2011, CEN 75075-0001 (11/12)-0002

FILE: 08002-REPLAT-2R-4R-5-SHET 1.DWG

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 12

Public Hearing - Replat: Mendenhall Addition, Block 1, Lot 1R

Applicant: Plano Independent School District

DESCRIPTION:

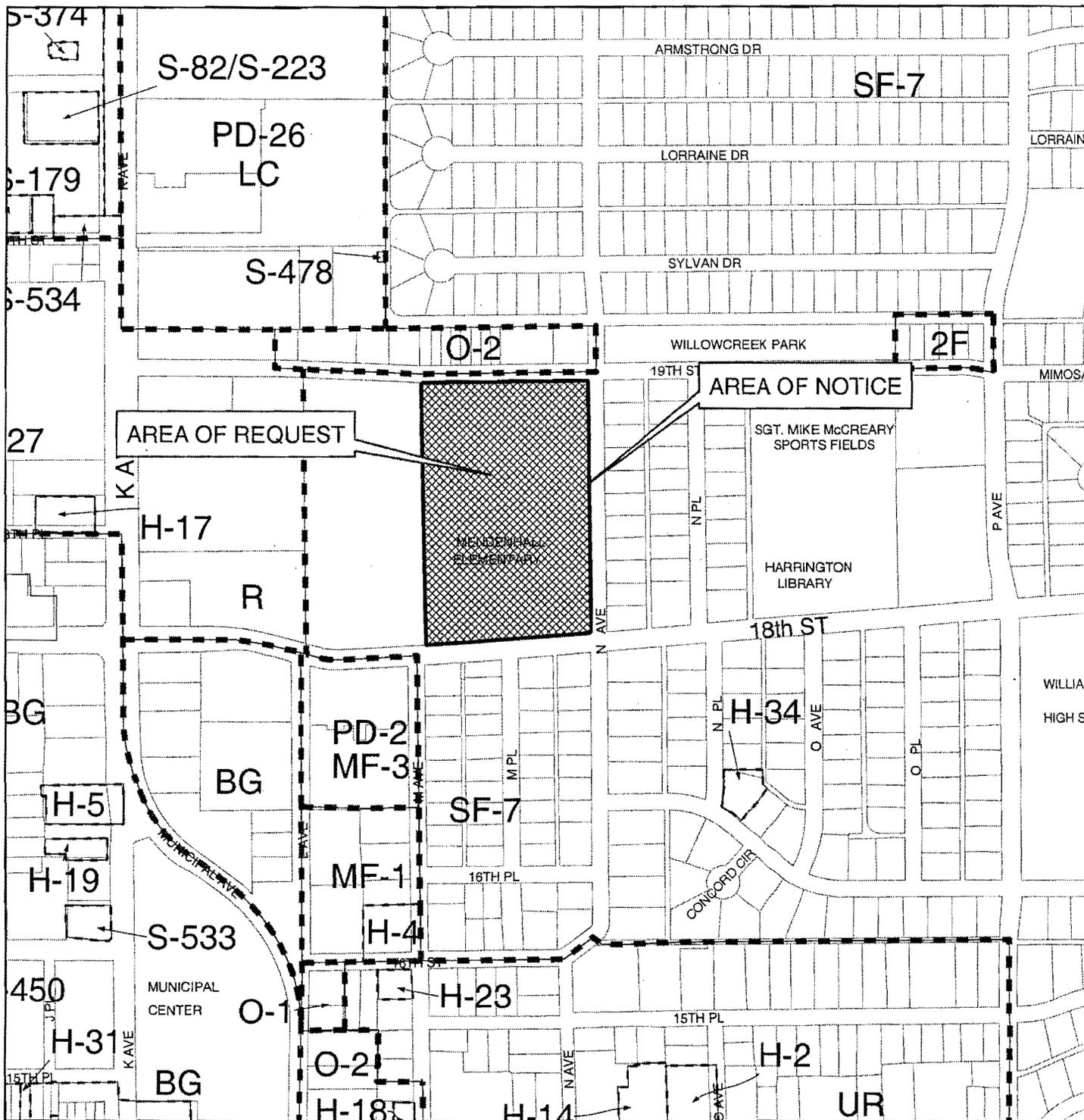
Public primary school on 8.8± acres located at the northwest corner of N Avenue and 18th Street. Zoned Single-Family Residence-7. Neighborhood #60.

REMARKS:

The purpose of the replat is to abandon and dedicate easements necessary for completing the redevelopment of the property as a public primary school.

RECOMMENDATION:

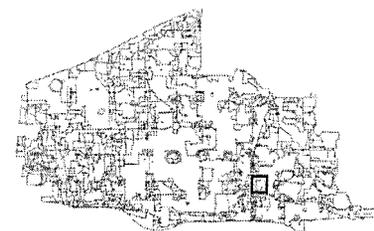
Recommended for approval as submitted.



Item Submitted: REPLAT

Title: MENDENHALL ADDITION
BLOCK 1, LOT 1R

Zoning: SINGLE-FAMILY RESIDENCE-7



○ 200' Notification Buffer



OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, the Plano Independent School District is the owner of a tract of land situated in the Sanford Beck Survey, Abstract No. 73, City of Plano, Collin County, Texas, and being all of Lot 1, Block 1, Mendenhall Addition, an addition to the City of Plano, Texas, as recorded in Cabinet N, Page 310, Plat Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a City of Plano monument set for corner at the south end of a corner clip at the intersection of the south line of 19th Street (a 50' R.O.W.) with the west line of N Avenue (a 50' R.O.W.);

THENCE S00°28'34"W, with the west line of N Avenue, a distance of 742.71 feet to a 1/2" iron rod set at a corner clip at the intersection of the north line of 18th Street (a 60' R.O.W.);

THENCE S43°34'31"W, along said corner clip, a distance of 7.30 feet to a 1/2" iron rod set for corner;

THENCE S86°40'28"W, with the north line of 18th Street, a distance of 481.24 feet to a City of Plano monument set for corner at a corner;

THENCE N46°30'45"W, a distance of 6.84 feet to a 1/2" iron rod set for corner in the east line of Lot 1R, Block A, First United Methodist Church, an addition to the City of Plano as recorded in Cabinet P, Page 132, Plat Records of Collin County, Texas, also being the east line of a 50' Fire Lane, Access, & Utility Easement, and the former east line of M Avenue, abandoned by City Ordinance No. 2003-2-10;

THENCE N00°16'06"E, with the east line of First United Methodist Church, a distance of 775.16 feet to a 1/2" iron rod set for corner;

THENCE N45°20'38"E, a distance of 7.07 feet to a 1/2" iron rod set for corner in the south line of 19th Street;

THENCE S89°36'49"E, with the south line of 19th Street, a distance of 482.53 feet to a 1/2" iron rod set for corner at the aforementioned corner clip at the intersection of N Avenue;

THENCE S44°34'07"E, along said corner clip, a distance of 7.07 feet to the POINT OF BEGINNING and CONTAINING 355,462 square feet, or 8.848 acres of land.

BASIS OF BEARINGS.

The east line of 19th Street (S89°36'49"E), Mendenhall Addition, as recorded in Cabinet N, Page 310, Plat Records of Collin County, Texas.

PURPOSE OF REPLAT.

To abandon and dedicate easements.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT the Plano Independent School District, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as Lot 1R, Block 1, Mendenhall Addition, an addition to the City of Plano, Texas, and does hereby dedicate, in fee simple, for public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No building, fence, trees, shrubs or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Plano. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Plano's use thereof. The City of Plano and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of their respective systems on said Easements. The City of Plano and public utility entities shall at all times have the full right of ingress and egress to and from their respective easements for the purpose of constructing, reconstructing, inspecting, maintaining, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of any time of procuring permission from anyone.

The undersigned does covenant and agree that the Access Easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, and for Fire Department and emergency use in, along, upon, and across said premises, with the right and privilege at all times of the City of Plano, its agents, employees, workmen and representatives having ingress, egress, and egress in, along, upon and across said premises.

That the undersigned does hereby covenant and agree that he shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he shall maintain the same in a state of good repair at all times and keep the same free and clear any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats or other impediments to the access of fire apparatus. The maintenance of parking on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking". The Fire Marshal or his duly authorized representative or the Chief of Police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

VISIBILITY, ACCESS, AND MAINTENANCE EASEMENT

The areas or areas shown on the plat as "VAM" (Visibility, Access, and Maintenance) Easements are hereby given and granted to the City, its successors and assigns, as an easement to provide visibility, right of access, and maintenance upon and across said VAM Easement. The City shall have the right but not the obligation to maintain any and all landscaping within the VAM Easement. Should the City exercise this maintenance right it shall be permitted to remove and dispose of any and all landscape improvements, including, but not limited to trees, shrubs, flowers, ground cover and fixtures. The City may withdraw maintenance of the VAM Easement at any time. The ultimate maintenance responsibility for the VAM Easement shall rest with the owners. No building, fence, shrub, tree or other improvements or growths, which in any way endanger or interfere with the visibility, shall be constructed in, on, over or across the VAM Easement. The City shall also have the right but not the obligation to add any landscape improvements to the VAM Easement, to erect any traffic control devices or signs on the VAM Easement and to remove any obstructions thereon. The City, its successors, assigns, or agents shall have the right and privilege at all times to enter upon the VAM Easement or any part thereof for the purposes and with all rights and privileges set forth herein.

This plat approved subject to all platting ordinances, rules, regulations, and resolution of the City of Plano, Texas.

Witness my hand this the ____ day of _____, 2011.

Plano Independent School District

Printed name and title

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this the ____ day of _____, 2011.

Notary Public in and for
The State of Texas

CERTIFICATE OF APPROVAL

APPROVED this ____ day of _____, 2011,
by the Planning and Zoning Commission, City of Plano, Texas.

Chairman, Planning and Zoning Commission

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this the ____ day of _____, 2011.

Notary Public in and for
The State of Texas

Secretary, Planning & Zoning Commission
or City Engineer

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this the ____ day of _____, 2011.

Notary Public in and for
The State of Texas

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: THAT I, David J. Surdukan, do hereby certify that I prepared this plat from an accurate and correct survey of land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the subdivision regulations of the City of Plano, Texas.



David J. Surdukan
Registration No. 4813

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office, this the ____ day of _____, 2011.

Notary Public in and for
The State of Texas

SHEET 2 OF 2
REPLAT

**MENDENHALL
ADDITION**

LOT 1R, BLOCK 1

**Being A Replat Of
Mendenhall Addition
Lot 1, Block 1**

Recorded In Cabinet N, Pg. 310

**8.848 Acres Situated In The
SANFORD BECK SURVEY ~ ABST. 73
PLANO, COLLIN COUNTY, TEXAS**

Owner:
Plano Independent School District
6500 Airma Drive
Plano, Texas 75023
Telephone 469 752-1480

Engineer:
RLK Engineering, Inc.
Texas Registration No. 579
111 West Main Street
Allen, Texas 75013
Telephone 972 358-1733

Surveyor:
Surdukan Surveying, Inc.
PO Box 126
Anna, Texas 75400
Telephone 972 624-6200

September 8, 2011

NOTE: 1" Iron Pins Shall Be Set At All Block Corners, P.O.s, P.T.'s, And Angle Points.
1/2" Iron Pins Shall Be Set At All Other Lot Corners.

NOTICE:
Selling any portion of this addition by metes and bounds is a violation of City Subdivision Ordinance and State Platting Statutes, and is subject to fines and withholding of utilities and building certificates.

CITY OF PLANO
PLANNING & ZONING COMMISSION

September 19, 2011

Agenda Item No. 13

Public Hearing - Replat: The Town Homes at Legacy Town Center, Phase Four, Block A, Lots 16R-18R, 19XR, & 20XR, & Block B, Lots 2R-4R, 5XR, 6R-9R, & 26XR

Applicant: D.R. Horton-Texas, Ltd./The Town Homes IV at Legacy Town Center Home Owners Association

DESCRIPTION:

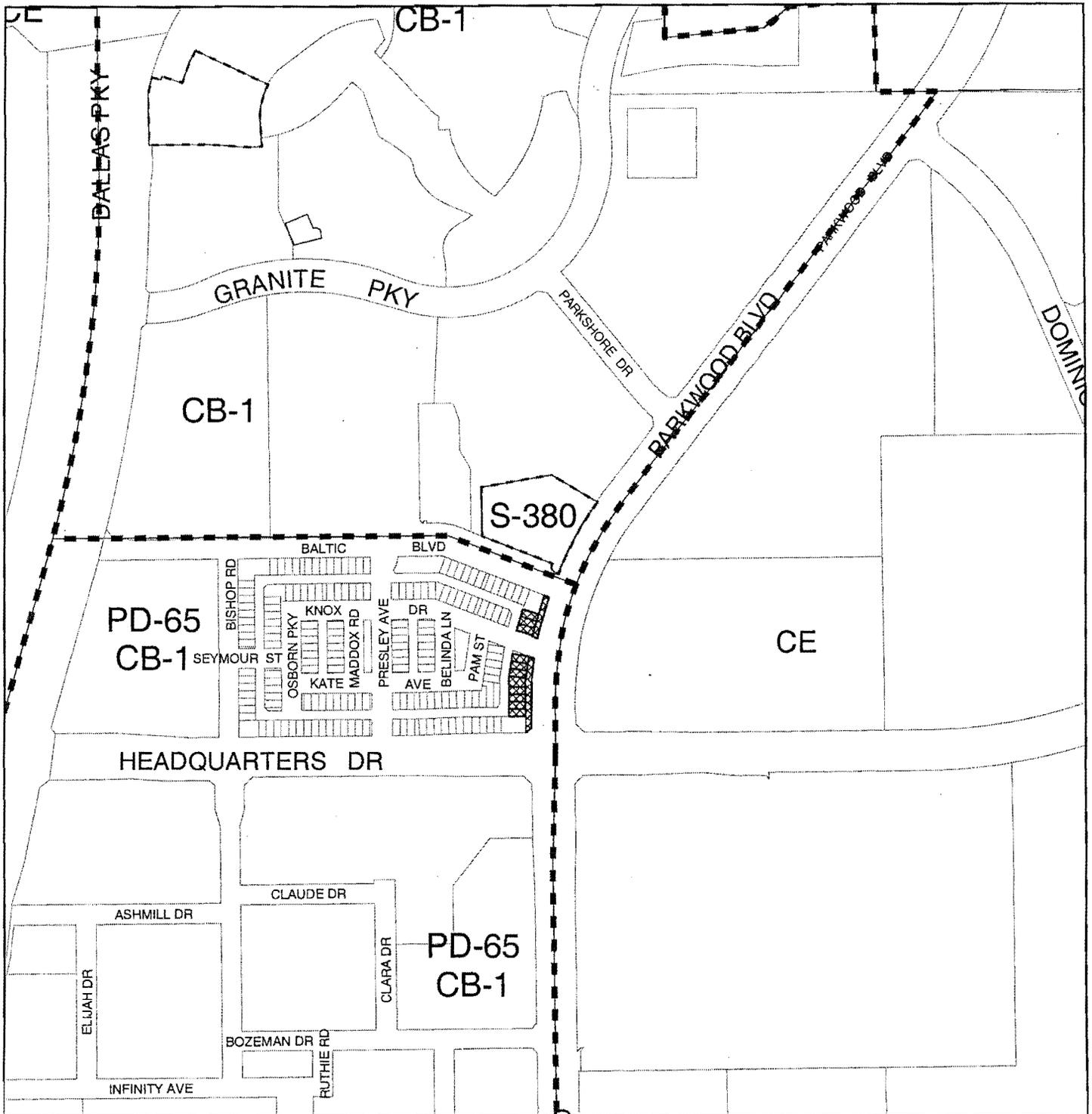
10 Single-Family Residence Attached lots and four open space lots on 0.4± acre located at the southwest corner of Baltic Boulevard and Parkwood Boulevard. Zoned Planned Development-65-Central Business-1/Dallas North Tollway Overlay District. Neighborhood #8.

REMARKS:

The purpose of the replat is to incorporate the existing common area lots along Parkwood Boulevard into the adjacent lots. Lots 20XR, 19XR, 5XR and 26XR shall be owned and maintained by the property owners' association.

RECOMMENDATION:

Recommended for approval as submitted.

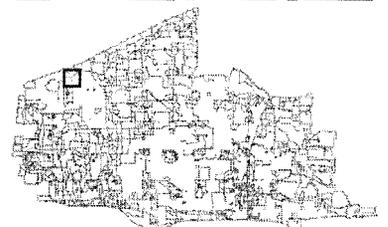


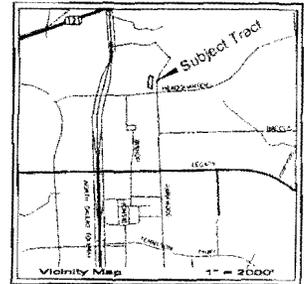
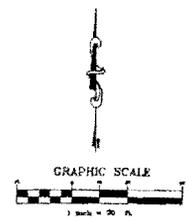
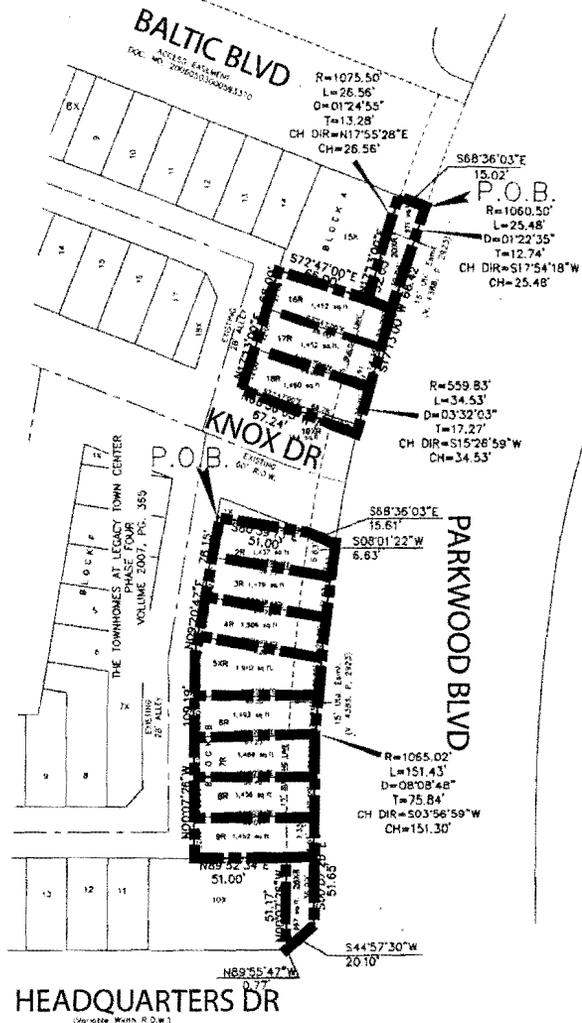
Item Submitted: REPLAT

Title: THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE FOUR
 BLOCK A, LOTS 16R-18R, 19XR, & 20XR &
 BLOCK B, LOTS 2R-4R, 5XR, 6R-9R, & 26XR



Zoning: PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1/
 DALLAS NORTH TOLLWAY OVERLAY DISTRICT





CERTIFICATE OF APPROVAL
 APPROVED, this the ___ day of _____ 2011
 by the Planning & Zoning Commission, City of Plano.

CHAIRMAN, PLANNING & ZONING COMMISSION

STATE OF TEXAS, COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration thereof expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

THIS ___ DAY OF _____ 2011.

NOTARY PUBLIC in and for the STATE OF TEXAS

SECRETARY, PLANNING & ZONING COMMISSION OR CITY ENGINEER

STATE OF TEXAS, COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration thereof expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE

THIS ___ DAY OF _____ 2011.

NOTARY PUBLIC in and for the STATE OF TEXAS

PURPOSE OF REPLAT: TO RECONFIGURE EXISTING BUILDABLE LOTS 16, 17 AND 18, BLOCK A, AND LOTS 2, 3, 4, 5, 7, 8 AND 9R, BLOCK B TO PROVIDE CITY REQUIRED STREET FRONTAGE ALONG PARKWOOD BOULEVARD. UPON RECORDING OF THIS PLAT, LOTS 16R, 17R & 18R, BLOCK A AND LOTS 2R, 3R, 4R, 5R, 7R, 8R AND 9R WILL BE OWNED BY D.R. HORTON-TEXAS, LTD. IN FEE SIMPLE. LOTS 19XR & 20XR, BLOCK A AND LOT 26R & LOT 26XR, BLOCK B WILL BE OWNED BY THE TOWN HOMES IV AT LEGACY TOWN CENTER HOMEOWNERS ASSOCIATION.

REPLAT
 THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE FOUR
 BLOCK A, LOTS 16R, 17R, 18R, 19XR & 20XR
 BLOCK B, LOTS 2R, 3R, 4R, 5XR, 6R, 7R, 8R, 9R & 26XR

BEING A REPLAT OF LOTS 16, 17, 18, 19X & 20X, BLOCK A, AND LOTS 2, 3, 4, 5R, 7, 8, 9R & 26R, BLOCK B, THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE FOUR AS RECORDED IN VOL. 2007, PGS. 387 & 685, P.R.C.C.T.

D.419 ACRES OUT OF JOHN M. SALMON SURVEY, ABSTRACT NO. 814 CITY OF PLANO COLLIN COUNTY, TEXAS

D.R. HORTON-TEXAS, LTD. OWNER
 4306 Miller Road, Suite A
 Rowlett, Texas 75088 (214)607-4244

THE TOWN HOMES IV AT LEGACY TOWN CENTER HOA OWNER
 4306 Miller Road, Suite A
 Rowlett, Texas 75088 (214)607-4244

JBI PARTNERS, INC. SURVEYOR/ENGINEER
 16301 Quorum Drive, Suite 200B
 Addison, Texas 75001 (972)248-7878

Revised: September 9, 2011
 August 25, 2011

- NOTES:
- Bearings based on the South Line of Headquarters Drive as described in Volume 4853, page 2203, Deed Records, Collin County, Texas.
 - All iron rods set with caps stamped "JBI" unless otherwise noted.
 - No portion of subject property appears to be within a special flood hazard area according to FEMA Map Panel No. 48058C0335C, dated June 2, 2009.
 - Selling a portion of this property by metes and bounds to its violation of the City Ordinance and State Law as it is subject to laws and abatement of utilities & building permits.
 - An easement for the benefit of each lot is hereby reserved over, across and upon each lot adjoining to such lot for roof overhang not exceeding two feet in width, and the brick ledges which support exterior venters not exceeding six inches in width.

DRAWER'S CERTIFICATE

STATE OF TEXAS -
COUNTY OF COLLIN -

WHEREAS D.R. HORTON-TEXAS, LTD. and THE TOWN HOMES IV AT LEGACY TOWN CENTER HOMEOWNERS ASSOCIATION are the owner of all these parcels of land in the SAMUEL H. BROWN SURVEY, ABSTRACT No. 180, in the City of Plano, Collin County, Texas and being all of Lots 15X, 16-18, 19X and 20X, Block A, and Lots 2-4, 5X, 6-8 and 20X, Block B of The Town Homes of Legacy Town Center, Phase Four, an addition to the City of Plano as recorded in Volume 2007, Page 265, Collin County Plat Records along with Lots 9R and 10X, Block B of The Town Homes of Legacy Town Center, Phase Four as recorded in Volume 2007, Page 684, Collin County Plat Records, including those lots conveyed to D.R. Horton-Texas as recorded in Document No. 20100318000495750, Collin County Deed Records, and being further described as follows:

Block A

BEGINNING at a one-half inch iron rod set at the northeast corner of Lot 20X, Block A, said Phase Four, said point being in the south line of Battie Boulevard (a sixty foot wide access easement) and in the west line of Parkway Boulevard (a variable width right-of-way);

THENCE along the west line of Parkway Boulevard and along the west line of said Lot 20X as follows: Southwesterly 22.48 feet along a non-tangent curve to the left having a central angle of 01 degree 22 minutes 36 seconds, a radius of 1000.50 feet, a tangent of 12.74 feet, and whose chord bears South 17 degrees 54 minutes 18 seconds West, 25.45 feet to a one-half inch iron rod set for corner; South 17 degrees 13 minutes 00 seconds West, 68.42 feet to a one-half inch iron rod set for corner; Southwesterly 25.48 feet along a curve to the left having a central angle of 03 degrees 32 minutes 03 seconds, a radius of 559.83 feet, a tangent of 17.27 feet, and whose chord bears South 15 degrees 28 minutes 58 seconds West, 34.53 feet to a one-half inch iron rod set for southeast corner of Lot 19X, said Block A, said point being in the north line of Knox Drive (a sixty foot wide right-of-way);

THENCE North 68 degrees 38 minutes 03 seconds West, 67.24 feet along the north line of Knox Drive to a one-half inch iron rod set at the west corner of said Lot 19X, said point being the southwest corner of Lot 16, said Block A, said point also being in the east line of a twenty-eight foot alley and in the west line of said Block A;

THENCE North 68 degrees 38 minutes 03 seconds West, 67.24 feet along the north line of Knox Drive to a one-half inch iron rod set at the west corner of said Lot 19X, said point being the southwest corner of Lot 16, said Block A, said point also being in the east line of a twenty-eight foot alley and in the west line of said Block A;

THENCE North 17 degrees 13 minutes 00 seconds West, 68.42 feet along east line of said twenty-eight foot alley and along the west line of said Block A to a one-half inch iron rod set at the northwest corner of Lot 16, said Block A, said point being the most southerly north-west corner of Lot 15X, said Block A;

THENCE South 72 degrees 47 minutes 00 seconds East, 81.00 feet to a one-half inch iron rod set at the northeast corner of said Lot 16 and at the southeast corner of said Lot 15, said point being in the west line of said Lot 20X;

THENCE along the east line of said Lot 20X and along the west line of said Lot 15X as follows: North 17 degrees 13 minutes 00 seconds East, 32.03 feet to a one-half inch iron rod set for corner; Northeastly 25.58 feet along a curve to the right having a central angle of 01 degree 24 minutes 55 seconds, a radius of 1079.50 feet, a tangent of 13.28 feet, and whose chord bears North 17 degrees 55 minutes 28 seconds East, 26.58 feet to a one-half inch iron rod set for the northwest corner of said Lot 20X and the northeast corner of said Lot 15X, said point being in the south line of Battie Boulevard;

THENCE South 68 degrees 38 minutes 03 seconds East, 15.02 feet along the south line of Battie Boulevard and along the north line of said Lot 20X to the POINT OF BEGINNING and containing 4,399 square feet or 0.124 acres of land.

Block B

BEGINNING at a one-half inch iron rod set at the northwest corner of Lot 2, said Block B, said point being the southwest corner of Lot 1X, said Block B, said point also being in the east line of a twenty-eight foot alley;

THENCE South 00 degrees 38 minutes 13 seconds East, 51.00 feet along the north line of said Lot 2 to a one-half inch iron rod set at the east corner of said Lot 1X, said point being the northeast corner of Lot 28X, said Block B, said point also being in the south line of Knox Drive;

THENCE South 68 degrees 38 minutes 03 seconds East, 15.02 feet along the south line of Knox Drive to a one-half inch iron rod set at the northeast corner of said Lot 28X, said point being in the west line of Parkway Boulevard;

THENCE along the east line of said Lot 28X and along the west line of Parkway Boulevard as follows: South 08 degrees 01 minutes 22 seconds West, 0.83 feet to a one-half inch iron rod set for corner; Southwesterly 151.43 feet along a curve to the left having a central angle of 08 degrees 08 minutes 46 seconds, a radius of 1079.50 feet, a tangent of 13.28 feet, and whose chord bears North 17 degrees 55 minutes 59 seconds West, 151.30 feet to a one-half inch iron rod set for corner;

South 00 degrees 38 minutes 13 seconds East, 51.00 feet to a one-half inch iron rod set for the southeast corner of said Lot 28X; South 44 degrees 57 minutes 30 seconds West, 20.10 feet to a one-half inch iron rod set for corner in the north line of Headquarters Drive (a variable width right-of-way), said point also being in the south line of said Lot 28X;

THENCE North 89 degrees 55 minutes 47 seconds West, 0.77 feet along the north line of Headquarters Drive to a one-half inch iron rod set at the southwest corner of said Lot 28X;

THENCE North 00 degrees 07 minutes 26 seconds West, 51.17 feet along the west line of said Lot 28X feet to a one-half inch iron rod set for corner in the south line of Lot 9R, said Block B;

THENCE South 89 degrees 52 minutes 34 seconds West, 51.00 feet to a one-half inch iron rod set at the southwest corner of said Lot 9R, said point being in the west line of said Block B;

THENCE along the east line of said alley and along the west line of said Block B as follows: North 00 degrees 07 minutes 26 seconds West, 109.19 feet to a one-half inch iron rod set for corner; North 08 degrees 20 minutes 17 seconds West, 78.15 feet to the POINT OF BEGINNING and containing 1,269 square feet or 0.295 acres of land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, D. R. HORTON - TEXAS, LTD. and THE TOWN HOMES IV AT LEGACY TOWN CENTER HOMEOWNERS ASSOCIATION do hereby adopt this plat designating the herein described property as 'The Townhomes At Legacy Town Center, Phase Four, Block A, Lots 16R, 17R, 18R, 19XR and 20XR, and Block B, Lots 2R, 3R, 4R, 5XR, 6R, 7R, 8R, 9R & 26XR', an addition to the City of Plano, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown hereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown except that landscape improvements may be placed in Landscape Easements, if approved by the City of Plano. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Plano's use thereof. The City of Plano and public utility entities shall at all times have the full right of ingress and egress to or from their respective systems for the purpose of constructing, reconstructing, inspecting, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

WITNESS MY HAND at Rowlett, Texas, this ___ day of _____ 2011.

David L. Booth, on Authorized Agent for D.R. Horton-Texas, Ltd.

STATE OF TEXAS -
COUNTY OF DALLAS -

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared David L. Booth, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

WITNESS MY HAND at Rowlett, Texas, this ___ day of _____ 2011.

Notary Public in and for the State of Texas

WITNESS MY HAND at Rowlett, Texas, this ___ day of _____ 2011.

David L. Booth, Officer for The Town Homes IV at Legacy Town Center Homeowners Association

STATE OF TEXAS -
COUNTY OF DALLAS -

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared David L. Booth, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

WITNESS MY HAND at Rowlett, Texas, this ___ day of _____ 2011.

Notary Public in and for the State of Texas

PURPOSE OF REPLAT: TO RECONFIGURE EXISTING BLOCKS 15, 16, 17 AND 18, BLOCK A AND LOTS 2, 3, 4, 5, 6, 7, 8 AND 9R, BLOCK B TO PROVIDE CITY REQUIRED STREET FRONTAGE ALONG PARKWOOD BOULEVARD. UPON RECORDING OF THIS PLAT, LOTS 16R, 17R & 18R, BLOCK A AND LOTS 2R, 3R, 4R, 5XR, 6R, 7R, 8R AND 9R WILL BE OWNED BY D.R. HORTON-TEXAS, LTD. IN FEE SIMPLE. LOTS 19XR & 20XR, BLOCK A AND LOT 5XR & LOT 26XR, BLOCK B WILL BE OWNED BY THE TOWN HOMES IV AT LEGACY TOWN CENTER HOMEOWNERS ASSOCIATION.

SURVEYOR'S CERTIFICATE

I, Steven E. Hines, hereby certify that I have prepared this plat from an actual on the ground survey of the land and that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the plotting rules and regulations of the City of Plano, Texas.

Steven E. Hines, R.P.L.S. No. 5380

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned authority in and for the State of Texas, on this day personally appeared STEVEN E. HINES, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ___ day of _____ 2011.

Notary Public, State of Texas

REPLAT

THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE FOUR
BLOCK A, LOTS 16R, 17R, 18R, 19XR & 20XR
BLOCK B, LOTS 2R, 3R, 4R, 5XR, 6R, 7R, 8R, 9R & 26XR

BEING A REPLAT OF LOTS 15, 17, 18, 19X & 20X, BLOCK A AND LOTS 2, 3, 4, 5X, 6, 7, 8, 9R & 26X, BLOCK B THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE FOUR AS RECORDED IN VOL. 2007, PGS. 367 & 665, P.R.C.C.T.

0.419 ACRES OUT OF JOHN M. SALMON SURVEY, ABSTRACT NO. 814 CITY OF PLANO COLLIN COUNTY, TEXAS

D.R. HORTON-TEXAS, LTD. OWNER
4306 Miller Road, Suite A (214)607-4244
Rowlett, Texas 75088

THE TOWN HOMES IV AT LEGACY TOWN CENTER HOA OWNER
4306 Miller Road, Suite A (214)607-4244
Rowlett, Texas 75088

JEI PARTNERS, INC. SURVEYOR/ENGINEER
16301 Quorum Drive, Suite 2008 (972)248-7876
Addison, Texas 75001

Plotted by: shawn Post Date: 8/17/2011 7:17 AM
Drawing: R:\Projects\106128\106128.dwg Sheet: 2 of 2 Date: 9/9/2011 4:02 PM