

PLANNING & ZONING COMMISSION

May 20, 2002

Present:

Lee Dunlap, 1st Vice Chair
Laura Williamson, 2nd Vice Chair
Carolyn Kalchthaler
Bill Neukranz
Joy Flick
Jerry Kezhaya

Absent:

Michael Davidoff, Chairman
Joyce Beach

Staff:

Phyllis M. Jarrell, Director of Planning
Tom Elgin, Development Review Manager
Christina Day, Sr. Planner
Carrie Lee, Planner
Charles Lee, Planner
Jeff Zimmerman, Planning & Information Manager
Lloyd E. Neal, P.E., Transportation Engineering Manager
Jeff Green, P.E., Sr. Traffic Engineer
Kent McIlyar, Assistant City Attorney II
Brad Roberts, Planning Technician
Lanae Jobe, Sr. Administrative Assistant

The Planning & Zoning Commission meeting was called to order by 1st Vice Chair Lee Dunlap at 7:02 p.m., Monday, May 20, 2002. Jeff Zimmerman, Planning & Information Manager, recognized students from Haggard Middle School and Plano Senior High who participated in the Student Planning Project. Commissioner Neukranz made a motion to approve the agenda. Commissioner Kezhaya seconded the motion, which passed 6-0.

Commissioner Flick made a motion to approve the April 16, 2002, work session minutes. Commissioner Williamson seconded the motion, which passed 6-0. Commissioner Kezhaya made a motion to approve the Consent Agenda. Commissioner Kalchthaler seconded the motion, which passed 6-0.

CONSENT AGENDA

Agenda No. 4a - Preliminary Plat & Revised Conveyance Plat: 40/Carrington Park Addition, Block B, Lots 1R, 3 & 4 - Applicant: Dallas Parkway 37 Acres, Ltd.

This is a request for a proposed medical office building on 1.4± acres on one lot and a revised conveyance plat on 5.3± acres on two lots at the northwest corner of Dallas North Tollway and Wedgewood Drive. Zoned Regional Employment.

Approved subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

Agenda No. 4b - Revised Concept Plan: 72/Coit Center - Applicant: Coit 190 Limited Partnership

This is a request for a retail and office development on 12 lots on 59.7± acres located on the northeast corner of Mapleshade Lane and Coit Road. Zoned Corridor Commercial and Light Industrial-1.

Approved as submitted.

Agenda No. 4c - Preliminary Plat & Conveyance Plat: 9/Legacy Corporate Center, Block A, Lots 1 & 2 - Applicant: Breeze Texas Corporation

This is a request for a health/fitness center on one lot and one conveyance lot on 27.1± acres on the northeast corner of Preston Road and Legacy Drive. Zoned Office-2 w/Specific Use Permit #468.

Approved subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

Agenda No. 4d - Revised Conveyance Plat: 36/Fairview Central Park Addition, Block A, Lots 2R, 4R, & 5, and Block B, Lot 1R - Applicant: Fairview Farm Land Company

This is a request for four conveyance lots on 29.0± acres on the northeast corner of Premier Drive and Ruisseau Drive, on the west side of U.S. Highway 75. Zoned Corridor Commercial.

Approved as submitted.

Agenda No. 4e - Revised Site Plan: 68/Community Credit Union - East Plano, Block A, Lot 1R - Applicant: Valley View Land Partnership

This is a request for an existing credit union with drive-thru lanes on 2.6± acres on one lot on the northeast corner of Jupiter Road and Plano Parkway. Zoned Light Industrial-1.

Approved subject to staff approval of the landscape plan.

Agenda No. 4f - Revised Site Plan: 59/North Central Park Phase III, Block C, Lot 1 - Applicant: Rutledge Haggard, Linda Haggard Lamun, & Owen Haggard

This is a request for four existing office-showroom/warehouse buildings and one proposed office building on one lot on 4.3± acres on the southeast corner of Central Parkway East and G Avenue. Zoned Corridor Commercial.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

Agenda No. 5 - Public Hearing: Zoning Case 2002-19 - Applicant: City of Plano

Carrie Lee, Planner, stated this is a request to amend Planned Development-402-Retail/Office-2 (PD-402-R/O-2) to eliminate the restrictions on retail development and to clarify the remaining stipulations on 18.3± acres on the southwest corner of Plano Parkway and Ohio Drive. Zoned PD-402-R/O-2. Neighborhood #55. Four letters were received in support of the item. Staff recommended approval as Planned Development-Retail/Office-2 subject to the following stipulations:

1. Additional uses of office/showroom/warehouse and scientific and research laboratories.
2. Maximum building height set back as measured from the center line of Plano Parkway, shall be limited to two story (35 feet) to a distance of 150 feet; five story (74 feet) between 150 feet and 400 feet; eight story (113 feet) between 400 feet and 700 feet; and 20 story (282 feet) on the remainder of the tract.
3. Provision of a 30-foot wide landscape edge adjacent to the right-of-way along Plano Parkway.
4. Provision of a 30-foot wide landscape edge adjacent to the existing curb along Ohio Drive.
5. Underground utilities and signage requirements of the 190 Tollway/Plano Parkway Overlay District applies to the entire property.

The public hearing was opened. No one spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Neukranz made a motion to approve the item as Planned Development-Retail/Office-2 subject to the following stipulations:

1. Office/showroom/warehouse and scientific and research uses are additional allowed uses.
2. Maximum building height set back as measured from the center line of Plano Parkway, shall be limited to two story (35 feet) to a distance of 150 feet; five story (74 feet) between 150 feet and 400 feet; eight story (113 feet) between 400 feet and 700 feet; and 20 story (282 feet) on the remainder of the tract.
3. Provision of a 30-foot wide landscape edge adjacent to the right-of-way along Plano Parkway.
4. Provision of a 30-foot wide landscape edge adjacent to the existing curb along Ohio Drive.
5. Underground utilities and signage requirements of the 190 Tollway/Plano Parkway Overlay District applies to the entire property.

Commissioner Kalchthaler seconded the motion, which passed 6-0.

Agenda No. 6 - Public Hearing: Zoning Case 2002-11 - Applicant: Rinker Properties Company

Christina Day, Senior Planner, stated this is a request to rezone 21.1± acres on the south side of Alliance Boulevard, 600± feet east of Preston Road from Planned Development-350-Retail/Office-2 with Specific Use Permit #164 for an Outdoor Commercial Amusement Facility (PD-350-R/O-2 w/SUP #164) to Planned Development-Retail/Office-2 with Specific Use Permit #164 for a Outdoor Commercial Amusement Facility (PD-R/O-2 w/SUP #164) to accommodate the development of a hospital. Neighborhood #67. Four letters were received in support of the item. Staff recommended approval as Planned Development-Retail/Office-2 subject to the following stipulations:

1. A hospital and helistop are additional allowed uses.
2. Maximum building height shall be limited to 12 stories.

3. Maximum lot coverage, excluding parking structures, is fifty percent (50%).
Maximum lot coverage, including parking structures, is seventy percent (70%).
4. For hospital use, required parking is one space per bed.
5. Building facades, except for parking structures, shall be constructed of brick, stone, or glass.

The public hearing was opened. Jimmy Schnurr, representing the applicant, requested approval of the item and stated he was available to answer any questions the Commission might have. He also discussed parking structures and number of beds the hospital would have. Matia Flabiano, also representing the applicant, discussed the location of the helistop. Judd Jacobs, representing the applicant, stated the project was currently in the schematic phase and they would like to move as quickly as possible after Commission approval. Charles Hao, representing the Preston Point Park Homeowners Association, spoke in opposition to the item. His concerns were the noise level of the helicopters approaching and leaving the hospital and the fact that the hospital would be located directly behind the houses in the addition. No one else spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Flick made a motion to approve the item as Planned Development-Retail/Office-2 subject to the following stipulations:

1. A hospital and helistop are additional allowed uses. A helistop is allowed only in conjunction with a hospital use.
2. Maximum building height shall be limited to 12 stories.
3. Maximum lot coverage, excluding parking structures, is fifty percent (50%).
Maximum lot coverage, including parking structures, is seventy percent (70%).
4. For hospital use, required parking is one space per bed.
5. Building facades, except for parking structures, shall be constructed of brick, stone, or glass.

6. Implementation of the signal at Alliance Boulevard and Preston Road in association with a hospital development.

Commissioner Williamson seconded the motion, which passed 6-0. The Planning & Zoning Commission accepted the applicant's Traffic Impact Analysis, and found that the proposed zoning request would not create an unacceptable level of service on the streets and intersections within the study area.

Agenda No. 7A - Public Hearing: Zoning Case 2002-16 - Applicant: MCA-Plano Investments II

Charles Lee, Planner, stated this is a request for a Specific Use Permit (SUP) for a Private Recreation Facility on one lot on 0.4± acre, south of Waskom Drive, 230± feet west of Leafy Glade Road. Zoned Single-Family-6. Neighborhood #1. No letters were received for the item. Staff recommended approval as submitted.

The public hearing was opened. Terrie Mitchell, representing the applicant, requested approval of the item and stated he was available to answer any questions. Bill Rogers, also representing the applicant, discussed the homeowners association dues and security around the pool area. No one else spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Flick made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 6-0.

Agenda No. 7B - Public Hearing- Site Plan: 1/Hickory Ridge, Block G, Lot 8 - Applicant: MCA - Plano Investments II

Mr. Lee stated this is a request for a proposed private recreation facility on one lot on 0.4± acre, south of Waskom Drive, 230± feet west of Leafy Glade Road. Zoned Single-Family-6. Staff recommended approval subject to:

1. City Council approval of Zoning Case 2002-16.
2. Staff approval of a landscape plan.

The public hearing was opened. No one spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Kezhaya made a motion to approve the item subject to staff's recommendations. Commissioner Kalchthaler seconded the motion, which passed 6-0.

Agenda No. 8 - Public Hearing: Zoning Case 2002-17 - Applicant: City of Plano

Tom Elgin, Development Review Manager, stated this is a request to amend Article 6 (Procedures) of the Zoning Ordinance to address authorized signatures and deadlines for receipt of zoning comment and protest letters. Tabled 05/06/02. Commissioner Neukranz made a motion to remove the item from the table. Commissioner Flick seconded the motion, which passed 6-0. Staff recommended the following amendments to Article 6 of the Zoning Ordinance:

Article 6, Section 6-113

(Minor changes have been made to this section to more closely follow the language used in state law.)

If the Planning & Zoning Commission has wholly or partially denied a proposed amendment, supplement or change; or if sufficient protest as defined below is submitted against such change, the proposed change must receive the affirmative vote of at least three-fourths of all members of the City Council. The protest must be written and signed by the owners of at least 20 percent of either the area of the lots of land immediately adjoining the area covered by the proposed change and extending 200 feet from that area, or the area of the lots or land covered by the proposed change. The area of streets and alleys shall be included in this calculation, and unincorporated areas are excluded from this calculation.

Section 6-114 Written Protest Procedures

A protest of a proposed zoning change must be in writing, and must be signed by the owner of the property in question or by a person authorized by power of attorney to act on behalf of the owner. For specific ownership types, the following shall apply:

Corporations - The protest must be signed by the president, vice president, or by an attorney-in-fact authorized to sign on behalf of the corporation.

General or Limited Partnerships - The protest must be signed by a general partner or by an attorney-in-fact authorized to sign on behalf of the corporation.

Community Property - The city shall presume the written protest of one spouse to be the protest of both.

Condominiums - Lots or land subject to a condominium declaration are presumed to be commonly owned in undivided interests by the owners of all condominium units and under the control of the governing body of the condominium. For such lots or land to be included in calculating the lots or land area protesting a proposed rezoning, the written protest must state that the governing body of the condominium has authorized a written protest in accordance with its bylaws, and that the person signing the protest is authorized to act on behalf of the governing body of the condominium.

In all cases where a protest has been properly signed pursuant to this section, the city shall presume that the persons whose signatures appear on the protest are valid.

A withdrawal of a protest must be in writing. In the event that multiple protests and withdrawals are filed on behalf of the same owner, the instrument with the latest date and time of execution controls.

The public hearing was opened. No one spoke for or against the item. The public hearing was closed.

There being no discussion, Commissioner Williamson made a motion to approve the item subject to staff's recommendations. Commissioner Kalchthaler seconded the motion, which passed 6-0.

Agenda No. 9A - Public Hearing: Zoning Case 2002-18 - Applicant: Shaddock Companies

Ms. Lee stated this is a request for a Specific Use Permit (SUP) for a Private Recreation Facility on one lot on 0.4± acre on the northwest corner of New College Lane and Colorado Lane. Zoned Single-Family-6. Neighborhood #6. No letters were received for the item. Staff recommended approval as submitted.

The public hearing was opened. Rudy Boyd, representing the applicant, discussed the homeowners association dues, fencing surrounding the property, and grading issues. No one else spoke for or against the item. The public hearing was closed.

After some discussion, Commissioner Kezhaya made a motion to table the item until the June 3, 2002, Planning & Zoning Commission meeting due to the safety concerns surrounding the pool area. Commissioner Flick seconded the motion, which passed 6-0.

Agenda No. 9B - Site Plan: 6/Cambridge Place at Russell Creek, Block D, Lot 24 - Applicant: Shaddock Companies

Ms. Lee stated this is a request for a private recreation facility on one lot on 0.4± acre on the northwest corner of New College Lane and Colorado Lane. Zoned Single-Family-6. Staff recommended approval subject to:

1. Staff approval of the landscape plan.
2. City Council approval of Zoning Case 2002-18.

After much discussion, Commissioner Flick made a motion to table the item until the June 3, 2002, Planning & Zoning Commission meeting due to the safety concerns surrounding the pool area. Commissioner Kezhaya seconded the motion, which passed 6-0.

Agenda No. 10 - Public Hearing - Replat: 68/Plano Tech Center V, Block 1, Lot 1 - Applicant: Argent Property Company

Ms. Day stated this is a request for an office and limited assembly/manufacturing building on one lot on 8.3± acres located on the northwest corner of Klein Road and Summit Avenue. Zoned Research Technology. Staff recommended approval as submitted.

The public hearing was opened. No one spoke for or against the item. The public hearing was closed.

After some discussion, Commissioner Kalchthaler made a motion to approve the item as submitted. Commissioner Williamson seconded the motion, which passed 6-0.

Agenda No. 11A - Public Hearing - Preliminary Replat: 21/Chase Oaks Creek Center, Block 1, Lot 1R - Applicant: Storage USA

Mr. Lee stated this is a request for a proposed expansion to an existing mini-warehouse/public storage development on one lot on 10.0± acres on the northwest corner of Spring Creek Parkway and Wagner Way. Zoned Corridor Commercial with Specific Use Permit #385 (CC w/SUP #385). No letters were received for the item. Staff recommended approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

The public hearing was opened. Ketan Patel, representing the applicant, stated he would be available to answer any questions the Commission might have. No one else spoke for or against the item. The public hearing was closed.

After some discussion, Commissioner Kezhaya made a motion to approve the item subject to additions and/or alterations to the engineering plans as required by the Engineering Department. Commissioner Kalchthaler seconded the motion, which passed 6-0.

Agenda No. 11B - Revised Site Plan: Chase Oaks Creek Center, Block 1, Lot 1R - Applicant: Storage USA

Mr. Lee stated this is a request for a proposed expansion to an existing mini-warehouse/public storage development on one lot on 10.0± acres on the northwest corner of Spring Creek Parkway and Wagner Way. Zoned Corridor Commercial with Specific Use Permit #385 for Mini-Warehouse/Public Storage Uses. Neighborhood #21. Staff recommended approval subject to:

1. Staff approval of the landscape plan.
2. Board of Adjustment granting a variance to allow the six-foot fence to encroach into the 50-foot building setback.

After some discussion, Commissioner Flick made a motion to approve the item subject to staff's recommendations. Commissioner Kezhaya seconded the motion, which passed 6-0.

Agenda No. 12 - Public Hearing- Replat & Revised Site Plan: 65/Vines High School Addition, Block 1, Lot 1R - Applicant: Plano Independent School District

Mr. Lee stated this is a request for a proposed building expansion to an existing public high school on 17.2+ acres on one lot at the southeast corner of 15th Street (F.M. 544) and Mill Valley Drive. Zoned Single-Family-9. No letters were received for the item. Staff recommended approval as submitted.

The public hearing was opened. No one spoke for or against the item. The public hearing was closed.

There being no discussion, Commissioner Williamson made a motion to approve the item as submitted. Commissioner Kalchthaler seconded the motion, which passed 6-0.

END OF PUBLIC HEARINGS

There being no further discussion, 1st Vice Chair Dunlap adjourned the meeting at 9:02 p.m.

Planning & Zoning Commissioner

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