

**PLANNING & ZONING COMMISSION
 PLANO MUNICIPAL CENTER
 1520 K AVENUE
 February 21, 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 February 7, 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 Preliminary Site Plan: NW Plano Park & Ride Addition, Block A, Lot 1 EH - Transit center on 1 lot on 9.6± acres located on the east side of Communications Parkway, 800± feet south of Tennyson Parkway. Zoned Commercial Employment/Dallas North Tollway Overlay District. Neighborhood #15. Applicant: Dallas Area Rapid Transit</p>	

<p>5b EH</p>	<p>Conveyance Plat: NW Plano Park & Ride Addition, Block A, Lots 1 & 2 - Two conveyance lots on 14.0± acres located on the east side of Communications Parkway, 800± feet south of Tennyson Parkway. Zoned Commercial Employment/Dallas North Tollway Overlay District. Neighborhood #15. Applicant: Dallas Area Rapid Transit and Croom Interests, Ltd.</p>	
<p>5c BM</p>	<p>Preliminary Plat: Preston Park Business Center Addition, Block A, Lots 4 & 5 - Medical office on 2 lots on 1.6± acres located at the southeast corner of Preston Park Boulevard and Preston Park Court. Zoned Planned Development-189-Retail/General Office. Neighborhood #55. Applicant: Dr. Robert Torti & Dr. Santosh Patel</p>	
<p>5d KP</p>	<p>Revised Conveyance Plat: Silver Fern Addition, Block 1, Lot 1 - Conveyance lot on 6.9± acres located on the north side of McDermott Road, 223± feet east of Coit Road. Zoned Planned Development-434-Retail. Neighborhood #1. Applicant: Ronald McCutchin Family Partnership</p>	
<p><u>END OF CONSENT AGENDA</u></p>		
<p><u>PUBLIC HEARINGS</u></p>		
<p>6 BM</p>	<p>Public Hearing: Zoning Case 2010-22 - Request to amend Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance pertaining to medical office parking requirements. Applicant: City of Plano</p>	
<p>7A BM</p>	<p>Public Hearing: Zoning Case 2011-01 - Request to rezone 13.9± acres located at the northwest corner of Kathryn Lane and Rowlett Cemetery Road from Regional Commercial to Multifamily Residence-3. Zoned Regional Commercial/State Highway 121 Overlay District. Applicant: Birkel Custer 121 Partners Ltd.</p>	
<p>7B BM</p>	<p>Concept Plan: Custer/121 Addition, Block 1, Lot 8 - 264 Multifamily Residence-3 units on 1 lot on 13.9± acres located at the northwest corner of Kathryn Lane and Rowlett Cemetery Road. Zoned Regional Commercial/State Highway 121 Overlay District. Neighborhood #3. Applicant: Birkel Custer 121 Partners Ltd.</p>	

<p>8 EH</p>	<p>Public Hearing: Zoning Case 2011-02 - Request to amend Subsections 2.824 (RC - Regional Commercial), 2.825 (RE - Regional Employment), 2.827 (LI-1 - Light Industrial-1), and 2.828 (LI-2 - Light Industrial-2) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), and Subsection 3.302 (Nonresidential Uses) of Section 3.300 (Exterior Wall Construction Standards for Structures) of Article 3 (Supplementary Regulations), and related sections of the Zoning Ordinance regarding the use of metal as an exterior wall construction material in nonresidential zoning districts. Applicant: City of Plano</p>
<p>9 BM</p>	<p>Public Hearing - Replat & Revised Site Plan: Plano Tech Center II, Block 1, Lot 1R - Light manufacturing and office on 1 lot on 11.5± acres located on the south side of Plano Parkway, 900± feet west of Shiloh Road. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District with Specific Use Permit #605 for Print Shop (Major). Neighborhood #68. Applicant: William O'Neil & Company</p>
<p><u>END OF PUBLIC HEARINGS</u></p>	
<p>10 KP</p>	<p>Discussion & Direction: Research/Technology Center Zoning District - Request for discussion and direction regarding recommendations from the Planning & Zoning Commission to City Council regarding possible amendments to the Research/Technology Center zoning district boundaries, regulations, and related sections of the zoning ordinance. Applicant: City of Plano</p>
<p>11 PJ</p>	<p>Discussion & Direction: Determine a Meeting Date and Time for Planning & Zoning Commissioner Training on Various Topics - Discussion and direction to determine a meeting date and time for a training session for the Planning & Zoning Commission. Applicant: City of Plano</p>
<p>12 TF</p>	<p>Request to Waive the 2-Year Waiting Period & Call a Public Hearing: Planned Development-65-Central Business-1 - Request to waive the 2-year waiting period for consideration of amending Planned Development-65-Central Business-1 zoning district development regulations related to single-family attached uses, and call a public hearing. Applicant: JBI Partners</p>
<p>13</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: Council Members Harry LaRosiliere and André Davidson</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 30 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

February 21, 2011

Agenda Item No. 5a

Preliminary Site Plan: NW Plano Park & Ride Addition, Block A, Lot 1
Applicant: Dallas Area Rapid Transit

Transit center on 1 lot on 9.6± acres located on the east side of Communications Parkway, 800± feet south of Tennyson Parkway. Zoned Commercial Employment/Dallas North Tollway Overlay District. Neighborhood #15.

The purpose for the preliminary site plan is to show the proposed transit center development.

Recommended for approval as submitted.

Agenda Item No. 5b

Conveyance Plat: NW Plano Park & Ride Addition, Block A, Lots 1 & 2
Applicant: Dallas Area Rapid Transit and Croom Interests, Ltd.

Two conveyance lots on 14.0± acres located on the east side of Communications Parkway, 800± feet south of Tennyson Parkway. Zoned Commercial Employment/Dallas North Tollway Overlay District. Neighborhood #15.

The purpose for the conveyance plat is to establish 2 lots and dedicate right-of-way and easements for the proposed transit center on Lot 1, and future development of Lot 2.

Recommended for approval as submitted.

Agenda Item No. 5c

Preliminary Plat: Preston Park Business Center Addition, Block A, Lots 4 & 5

Applicant: Dr. Robert Torti & Dr. Santosh Patel

Medical office on 2 lots on 1.6± acres located at the southeast corner of Preston Park Boulevard and Preston Park Court. Zoned Planned Development-189-Retail/General Office. Neighborhood #55.

The purpose for the preliminary plat is to propose easements necessary for the development of the lots as a medical office.

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

Agenda Item No. 5d

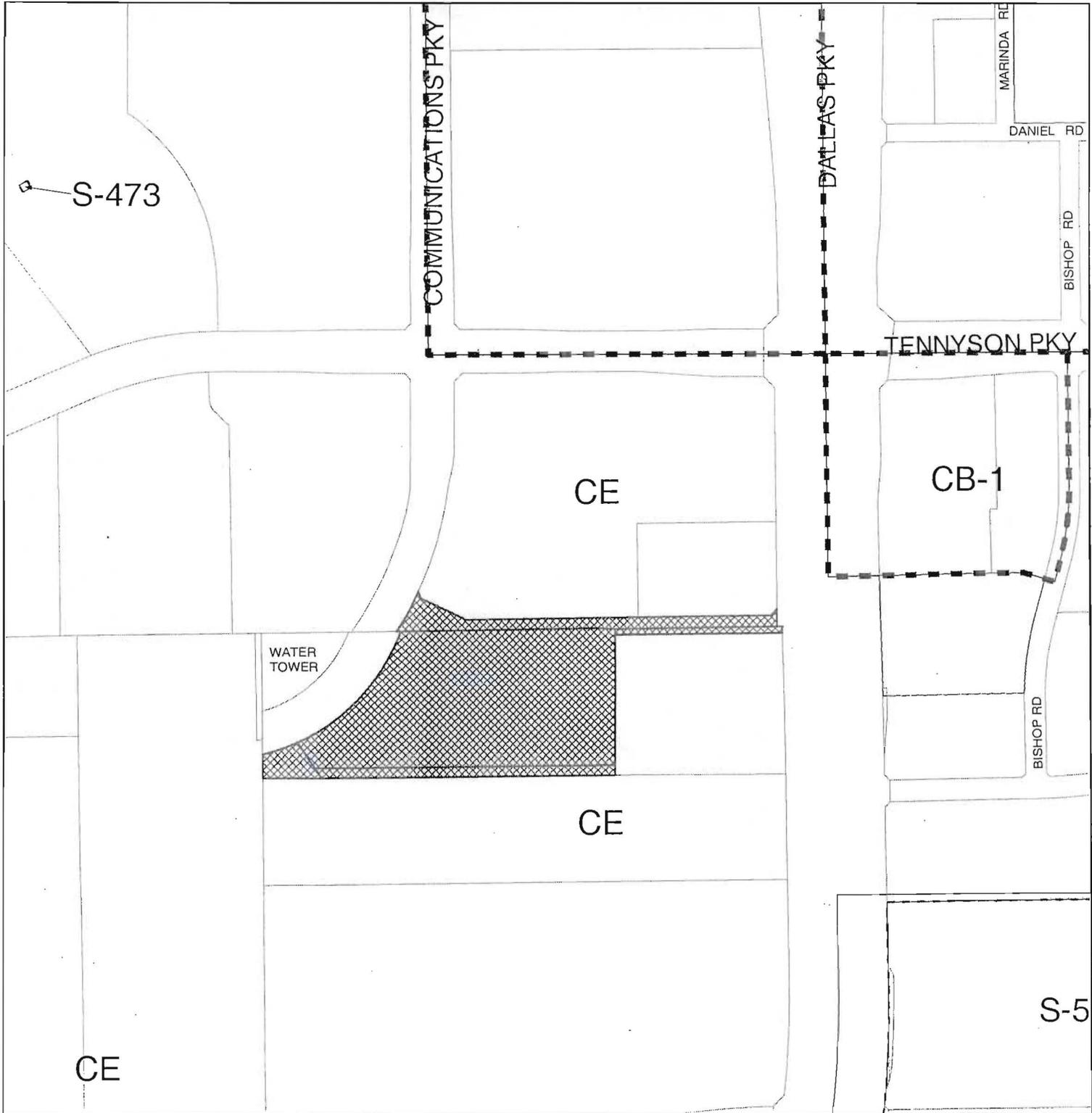
Revised Conveyance Plat: Silver Fern Addition, Block 1, Lot 1

Applicant: Ronald McCutchin Family Partnership

Conveyance lot on 6.9± acres located on the north side of McDermott Road, 223± feet east of Coit Road. Zoned Planned Development-434-Retail. Neighborhood #1.

The purpose of the revised conveyance plat is to dedicate easements necessary for the development of the adjacent Lot 3.

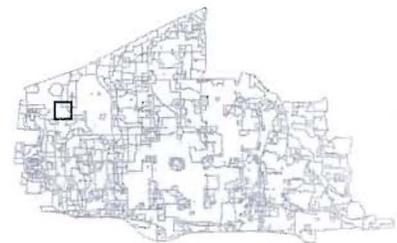
Recommended for approval as submitted.



Item Submitted: PRELIMINARY SITE PLAN

Title: NW PLANO PARK & RIDE ADDITION
BLOCK A, LOT 1

Zoning: COMMERCIAL EMPLOYMENT/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer

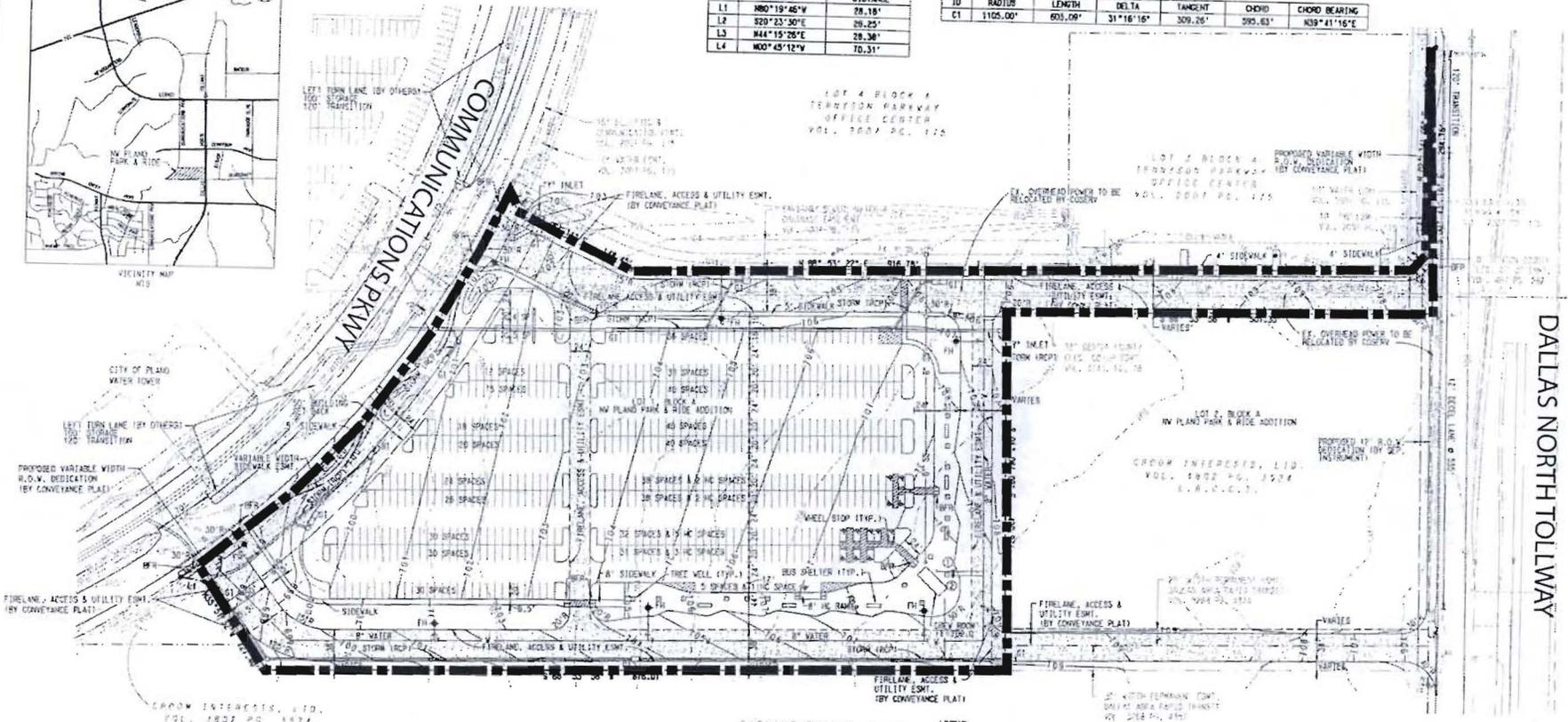
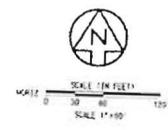


BOUNDARY LINE TABLE

ID	BEARING	DISTANCE
L1	180°19'45"W	28.18'
L2	92°23'30"E	26.25'
L3	144°19'26"E	28.38'
L4	100°45'12"W	70.31'

BOUNDARY CURVE TABLE

ID	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
C1	1125.00'	603.09'	31°16'16"	309.26'	595.63'	N39°41'16"E



SITE DATA SUMMARY TABLE

GENERAL SITE DATA:	CE/NO OVERLAY TRANSIT CENTER
ZONING	N/A
LAND USE	N/A
LOT AREA (NET)	412,650 SQ. FT.
BUILDING FOOTPRINT AREA	504 SQ. FT.
TOTAL BUILDING AREA	898 SQ. FT.
BUILDING HEIGHT	13'-10"
LOT COVERAGE	0.21%
FLOOD AREA RATIO	0.0001-1
PARKING:	
PARKING RATIO	N/A
REQUIRED PARKING	584 SP.
TOTAL PROPOSED PARKING	584 SP.
ACCESSIBLE PARKING REQUIRED	17 SP.
ACCESSIBLE PARKING PROVIDED	13 SP.
PARKING IN EXCESS OF 110% OF REQUIRED PARKING	N/A
LANDSCAPING:	
L.S. EDGE AREA	11,705 SQ. FT.
INTERIOR L.S. AREA REQUIRED	4,517 SQ. FT.
INTERIOR L.S. AREA PROVIDED	64,724 SQ. FT.
OTHER L.S. AREA	N/A
IMPERVIOUS AREA:	
BUILDING FOOTPRINT AREA	898 SQ. FT.
AREA OF SIDEWALKS & PAVEMENT	335,363 SQ. FT.
IMP. IMPERVIOUS AREA CREDIT	N/A
TOTAL IMPERVIOUS AREA	336,261 SQ. FT.
50% OF TOTAL LANDSCAPE + TOTAL IMPERVIOUS AREA	412,650 SQ. FT.
TOTAL IMPERVIOUS AREA	412,650 SQ. FT.
LESS IMP. IMPERVIOUS AREA CREDIT	336,261 SQ. FT.

- NOTES:**
- BUILDINGS 6,000 OR GREATER SQUARE FEET SHALL BE 100% FINE SPRINKLED.
 - FIRE LANES 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 WIDE SIDEWALKS SHALL BE PROVIDED 2.5 FEET OFF OF THE PROPERTY LINE WITHIN THE RIGHTS-OF-WAY, UNLESS A SIDEWALK EASEMENT IS PROVIDED FOR A RE-ENTRY, SIDEWALK, OR AN ALTERNATIVE DESIGN IS APPROVED BY THE CITY. BARRIER-FREE RAMPS, PER CITY STANDARDS, SHALL BE PROVIDED ON SIDEWALKS AT ALL CURB CROSSINGS.
 - MECHANICAL UNITS, DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
 - ALL SIGNAGE CONTAINED 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 6-456 OF THE CODE OF ORDINANCES.
 - PLEASE CONTACT THE BUILDING INSPECTION DEPARTMENT TO DETERMINE THE TYPE OF CONSTRUCTION AND OCCUPANCY GROUP.
 - ALL ELECTRICAL TRANSMISSION, DISTRIBUTION AND SERVICE LINES MUST BE COORDINATED WITH THE RESPECTIVE FRANCHISEE COMPANY MUST MEET ALL CITY REQUIREMENTS.
 - USES SHALL CONFORM IN OPERATION, LOCATION, AND CONSTRUCTION TO THE FOLLOWING PERFORMANCE STANDARDS IN SECTION 3-1300 OF THE ZONING CODE: NOISE, SMOKE AND PARTICULATE MATTER, ODOROUS WATER, FIRE OR EXPLOSIVE HAZARD MATERIAL, TOXIC AND HAZARDOUS MATERIAL, VIBRATION AND/OR OTHER PERFORMANCE STANDARDS, ELECTRICAL AND/OR COMMUNICATION LINES SHALL BE INSTALLED UNDERGROUND IN COMPLIANCE WITH UTILITY SERVICE REGULATIONS.
 - ELECTRICAL AND/OR COMMUNICATION LINES SHALL BE INSTALLED UNDERGROUND IN COMPLIANCE WITH UTILITY SERVICE REGULATIONS.
 - ALL DIMENSIONS ARE TO FACE OF CURB OR FACE OF BUILDING UNLESS OTHERWISE NOTED.

PARLANE BUILDING GROUP
VOL. 1849 P. 248
L.R.C.C.T.

LEGEND

- PROPOSED RIGHT-OF-WAY DEDICATION BY PLAT
- FIRELANE
- EXISTING CONTOUR
- PROPOSED CONTOUR

WATER METER & SEWER SCHEDULE

ID	TYPE	SIZE	NO.	SEWER
1	DOMESTIC	1"	1	5"
2	IRRIGATION	2"	1	N/A

- NOTES:**
- HANDICAPPED PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS.
 - TREES EXIST ON SITE AND SHALL BE MITIGATED PER CITY REQUIREMENTS.
 - NO FLOODPLAIN EXISTS ON THE SITE.
 - SITE PLAN IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT A CONSTRUCTION DOCUMENT.

BENCH MARK:
ALUMINUM BENCHMARK ON INLET ON NORTH SIDE OF TENNISWAY, 302' WEST OF TOLLWAY, STAMPED '1999 D-8', ELEVATION = 710.97

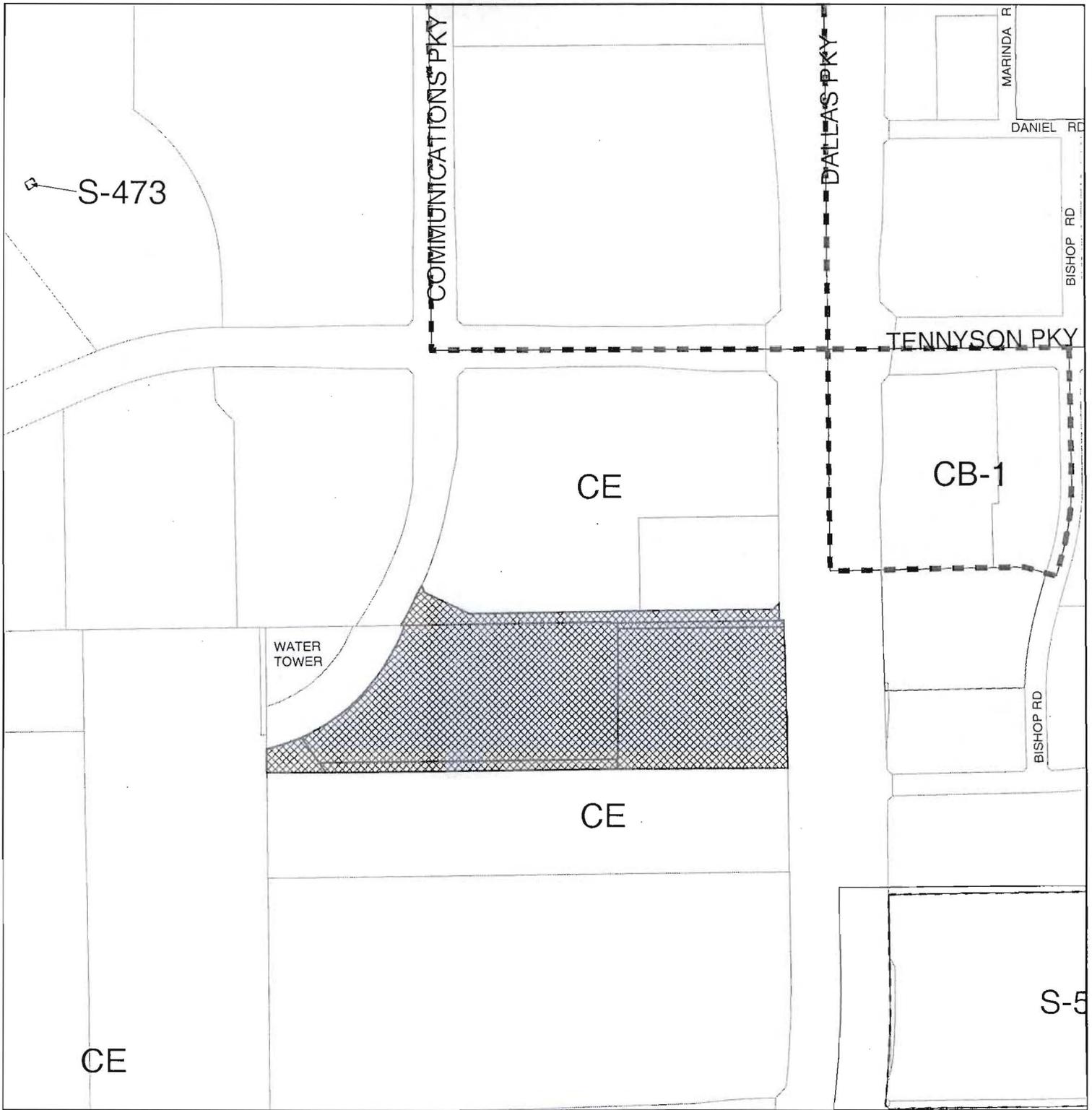
1.101
9.474 AC (NET)
9.556 AC (GROSS)

PRELIMINARY SITE PLAN
NW PLANO PARK & RIDE ADDITION
LOT 1, BLOCK A
BEING 416,256 SQ. FT. OR 9.556 ACRES
SITUATED IN THE
COLLIN COUNTY SCHOOL LAND SURVEY ~ ABSTRACT 150 &
HENRY B. MILLER SURVEY ~ ABSTRACT 614
PLANO, COLLIN COUNTY, TEXAS

OWNER - LOT 1
DALLAS AREA RAPID TRANSIT
1401 PACIFIC AVENUE
DALLAS, TEXAS 75202
TELEPHONE (214) 748-2900
CONTACT: ALI RAHBEH

SURVEYOR
AZAB, INC.
11558 MCCOY ROAD
DALLAS, TEXAS 75238
TELEPHONE (214) 241-9900
CONTACT: JEFFREY SHEPPARD

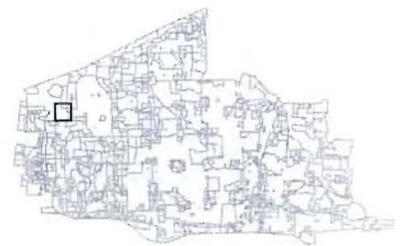
ENGINEER
CP&Y, INC. (FIRM REG. NO. 17411)
1820 REGAL ROW, SUITE 200
DALLAS, TEXAS 75235
TELEPHONE (214) 838-0500
CONTACT: LARRY BEENKEN



Item Submitted: CONVEYANCE PLAT

Title: NW PLANO PARK & RIDE ADDITION
BLOCK A, LOTS 1 & 2

Zoning: COMMERCIAL EMPLOYMENT/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer





SCALE: 1/4" = 100 FEET
SCALE: 1" = 400 FEET



VICINITY MAP

STATE PLANE COORD.
N 707626.185
E 2480291.115

CROOK INTERESTS, LTD.
VOL. 4802 PG. 3524
L.R.C.C.T.

COMMUNICATIONS PKWY
N 707626.185
E 2480291.115

LOT 4 BLOCK A
TENNISON PARKWAY
OFFICE CENTER
VOL. 2007 PG. 115

LOT 3 BLOCK A
TENNISON PARKWAY
OFFICE CENTER
VOL. 2007 PG. 115

0.025 ACRE OR
2,415 SQ. FT.
R.O.V. DEDICATION
(BY THIS PLAT)

STATE PLANE COORD.
N 707626.185
E 2481531.115

10' DENON COUNTY
ELECT. CO-OP ESM.
VOL. 481 PG. 270

INSET 'A'

POINT OF BEGINNING
(BOTH LOT 1 & 2)

DALLAS NORTH TOLLWAY
100' R.O.V.
CITY OF PLANO
VOL. 2420 PG. 975
L.R.C.C.T.

LOT 1

LOT 1, BLOCK A
9.474 NET ACRES
(412,680 NET SQ. FT.)
9.556 GROSS ACRES
(416,256 GROSS SQ. FT.)
DALLAS AREA RAPID TRANSIT
PARCEL RWP-1
VOL. 3248 PG. 4558

LOT 2

LOT 2, BLOCK A
4.488 NET ACRES
(195,495 NET SQ. FT.)
4.488 GROSS ACRES
(195,495 GROSS SQ. FT.)
CROOK INTERESTS, LTD.
VOL. 4802 PG. 3524
L.R.C.C.T.

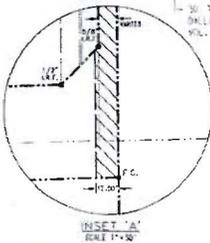
EARLANE BACCHUS CROOK
VOL. 2869 PG. 246
L.R.C.C.T.

ID	BEARING	DISTANCE
L5	N54°08'28"E	35.50'
L6	S35°51'32"E	83.82'
L7	S35°51'32"E	17.18'
L8	N54°08'28"E	35.50'
L9	N24°53'49"E	11.50'
L10	N24°53'49"E	61.50'
L11	S65°06'11"E	80.39'
L12	S65°06'11"E	13.05'
L13	S01°06'02"E	50.16'
L14	S01°06'02"E	64.82'
L15	S88°53'58"W	16.00'

ID	BEARING	DISTANCE
L1	N80°19'45"W	28.16'
L2	S20°23'30"E	26.25'
L3	N44°15'16"E	28.38'
L4	N00°45'12"W	10.31'

ID	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
C1	1105.00'	603.09'	31°16'16"	309.26'	595.63'	N09°41'16"E

ID	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
C2	1105.00'	492.31'	23°58'18"	234.99'	458.95'	N42°30'01"E
C3	30.00'	13.21'	25°44'02"	6.73'	13.11'	S48°28'33"E
C4	30.00'	12.43'	23°44'44"	6.31'	12.34'	S23°59'10"E
C5	30.00'	16.43'	31°22'53"	8.43'	16.23'	S80°47'31"E
C6	30.00'	11.85'	34°16'41"	9.25'	11.68'	S41°51'48"E



LEGEND
F.C. FENCE CORNER
I.R.F. IRON ROD FOUND
I.R.S. IRON ROD SET
M.R.C.C.T. MAP RECORDS COLLIN COUNTY TEXAS
L.R.C.C.T. LAND RECORDS COLLIN COUNTY TEXAS
ESMT EASEMENT
R.O.W. RIGHT-OF-WAY

BURDENSE OF CONVEYANCE PLAT:
TO ESTABLISH TWO LOTS AND DEDICATE RIGHT-OF-WAY
AND EASEMENTS FOR FUTURE DEVELOPMENT.

BASIS OF BEARINGS:
TEXAS COORDINATE SYSTEM, NORTH AMERICAN
DATUM OF 1983 (NAD 83), NORTH CENTRAL ZONE
(4302), AS DETERMINED BY GPS OBSERVATIONS
USING THE NGS/ARIS NETWORK.

NOTICE:
A conveyance plat is a record of property approved by the city for the purpose of sale or encumbrance in its entirety or interest thereon defined. No building permit shall be issued nor permanent public utility service provided until a final plat is approved, filed of record and public improvements accepted in accordance with the provisions of the Subdivision Ordinance of the City of Plano. Selling a portion of this property by means and bounds, except as shown on an approved, filed and adopted conveyance plat, final plat, or replat is a violation of the city ordinance and State law.

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 WITHDRAWING OF UTILITIES AND BUILDING CERTIFICATES.

SHEET 1 OF 2
CONVEYANCE PLAT
OF
NW PLANO PARK & RIDE ADDITION
LOTS 1 & 2, BLOCK A
BEING 611,751 SQ.FT. OR 14,044 ACRES
SITUATED IN THE
COLLIN COUNTY SCHOOL LAND SURVEY ~ ABSTRACT 150 &
HENRY B. MILLER SURVEY ~ ABSTRACT 614
PLANO, COLLIN COUNTY, TEXAS

PREPARED BY:
CP&V, INC. (CP&V REG. NO. 1741)
1820 REDAL NEW, SUITE 200
DALLAS, TEXAS 75225
TELEPHONE (214) 838-0900
CONTACT: LARRY BECKEN

OWNER - LOT 1
DALLAS AREA RAPID TRANSIT
1421 PACIFIC AVENUE
DALLAS, TEXAS 75202
TELEPHONE (214) 748-2965
CONTACT: ALI MADALE

SURVEYOR:
AT&BS, INC.
11305 MCCREE ROAD
DALLAS, TEXAS 75238
TELEPHONE (214) 341-9900
CONTACT: JEFFREY SHEPPARD

OWNER - LOT 2
CROOK INTERESTS, LTD.
1421 WINDROCK BLVD
HOUSTON, TEXAS 77057-1720
TELEPHONE (713) 867-1608
CONTACT: EARLANE BACCHUS CROOK

OWNER'S CERTIFICATE (LOT 1, BLOCK A)

STATE OF TEXAS
COUNTY OF COLLIN

BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 150, and the HENRY B. MILLER SURVEY, ABSTRACT NO. 614, in the City of Plano, Collin County, Texas, and being part of a called 26,500 square foot tract of land described in a deed to Dallas Area Rapid Transit (DART) recorded in Volume 5288, Page 4257 of the Deed Records of Collin County, Texas, all of a called 7,7051 acre tract of land described in Parcel 1 and all of a called 10,029 square foot tract of land described in Parcel 2, both in a deed to DART recorded in Volume 5288, Page 4268 of said Deed Records, and all of a called 43,529 square foot tract of land described in a deed to DART recorded in Volume 5370, Page 2824 of said Deed Records, and being more particularly described as follows:

BEGINNING at a fence corner post found in the west line of Dallas North Talway [2007 right-of-way] for the southeast corner of said 43,529 square foot tract and the southeast corner of Lot 3, Block A, between Parkway Office Center, an addition to the City of Plano according to the Conveyance Plat thereof recorded in Cabinet 16, Page 643 of the Map Records of Collin County, Texas, and the northeast corner of said 10,029 square foot tract.

THENCE South 00 degrees 43 minutes 18 seconds East, along the common line between said Dallas North Talway and said 10,029 square foot tract, a distance of 20.00 feet to a 1/2-inch steel rod with cap marked "AZAB" set for the southeast corner of said 10,029 square foot tract.

THENCE South 88 degrees 53 minutes 58 seconds West, along the south line of said 10,029 square foot tract, a distance of 501.33 feet to a 3/8-inch steel rod with cap marked "AZAB" set for the northeast corner thereof, in the west line of said 43,529 square foot tract.

THENCE South 01 degree 06 minutes 02 seconds East, along the east line of said 7,7051 acre tract and the east line of said 26,500 square foot tract, a distance of 400.79 feet to a 3/8-inch steel rod with cap marked "AZAB" set for the southeast corner of said 26,500 square foot tract.

THENCE South 88 degrees 53 minutes 58 seconds West, along the south line of said 26,500 square foot tract, a distance of 878.01 feet to a 3/8-inch steel rod with cap marked "AZAB" set for the southwest corner of said 26,500 square foot tract.

THENCE North 35 degrees 51 minutes 32 seconds West, along the westerly line of said 26,500 square foot tract, passing at a distance of 26.32 feet to a 3/8-inch steel rod with cap marked "AZAB" found for the northeast corner and the most easterly southwest corner (of said 7,7051 acre tract), and along the southwesterly boundary of said 7,7051 acre tract, a total distance of 127.40 feet to a 3/8-inch steel rod with cap marked "AZAB" found for corner.

THENCE North 80 degrees 19 minutes 46 seconds West, continuing along the southwesterly boundary of said 7,7051 acre tract, a distance of 28.16 feet to a 3/8-inch steel rod with cap marked "AZAB" found in the westerly line of a called 3470 acre tract of land described in a deed to the City of Plano recorded in Instrument No. 96-009280 of said Deed Records.

THENCE Northwesterly, along the common line between said 7,7051 acre tract and said 1,3470 acre tract and the east right-of-way of Communications Highway 1517 [right-of-way], and along a right-of-way line to the left which has a curb that bears North 39 degrees 41 minutes 18 seconds East for 585.63 feet, a center line of 31 degrees 42 minutes 19 seconds East for a radius of 10,020 feet, for an arc distance of 603.09 feet to a 3/8-inch steel rod with cap marked "AZAB" set for the end of said arc and the northeast corner of said 43,529 square foot tract.

THENCE along the northerly boundary of said 43,529 square foot tract and the southerly boundary of Lots 3 and 4, Block A of Tempon Parkway Office Center, an addition to the City of Plano according to the Conveyance Plat thereof recorded in Cabinet 2007, Page 175 of said Map Records, the following courses and distances:

South 20 degrees 23 minutes 30 seconds East, a distance of 28.25 feet to a 3/8-inch iron rod with yellow cap marked "AZAB" found for corner.

South 85 degrees 08 minutes 11 seconds East, a distance of 148.43 feet to a 3/8-inch iron rod with yellow cap marked "AZAB" found for corner.

North 86 degrees 53 minutes 22 seconds East, a distance of 918.78 feet to a 3/8-inch iron rod with yellow cap found for corner.

North 44 degrees 15 minutes 26 seconds East, a distance of 28.26 feet to a 5/8-inch iron rod with red cap found for corner.

North 00 degrees 43 minutes 12 seconds West, a distance of 70.21 feet to a 3/8-inch iron rod with yellow cap marked "AZAB" set for corner.

North 02 degrees 34 minutes 05 seconds East, a distance of 174.62 feet to a 3/8-inch iron rod with yellow cap marked "AZAB" set in the west right-of-way of said Dallas North Talway and the east boundary of said 43,529 square foot tract for the most northerly corner thereof.

THENCE South 50 degrees 43 minutes 18 seconds East, along the common line between said Dallas North Talway and said 43,529 square foot tract, a distance of 294.76 feet to the POINT OF BEGINNING and containing 418,236 square feet, or 9.526 acres of land, more or less.

OWNER'S CERTIFICATE (LOT 2, BLOCK A)

STATE OF TEXAS
COUNTY OF COLLIN

BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 150, and the HENRY B. MILLER SURVEY, ABSTRACT NO. 614, in the City of Plano, Collin County, Texas, and being part of a called 12,850 square foot tract of land described in a deed to Dallas Area Rapid Transit (DART) recorded in Volume 5324 of the Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a fence corner post found in the west line of Dallas North Talway [2007 right-of-way] for the southwest corner of a called 43,529 square foot tract of land described in a deed to Dallas Area Rapid Transit (DART) recorded in Volume 5370, Page 2824 of said Deed Records, and the southeast corner of Lot 2, Block A, Tempon Parkway Office Center, an addition to the City of Plano according to the Conveyance Plat thereof recorded in Cabinet 16, Page 643 of the Map Records of Collin County, Texas, and the northeast corner of a 10,029 square foot tract of land described in Parcel 2 (N-102)-1 in a deed to Dallas Area Rapid Transit (DART) recorded in Volume 5288, Page 4268 of said Deed Records, thence South 00 degrees 43 minutes 18 seconds East, along the common line between said Dallas North Talway and said 10,029 square foot tract, a distance of 20.00 feet to a 1/2-inch steel rod with cap marked "AZAB" set for the southeast corner of said 10,029 square foot tract and the POINT OF BEGINNING.

THENCE South 88 degrees 53 minutes 58 seconds West, along the south line of said 10,029 square foot tract, a distance of 501.33 feet to a 3/8-inch steel rod with cap marked "AZAB" set for the northeast corner thereof, in the west line of a called 7,7051 acre tract described as Parcel N-102-1 in a deed to DART recorded in Volume 5288, Page 4268 of said Deed Records.

THENCE South 01 degree 06 minutes 02 seconds East, along the east line of said 7,7051 acre tract, a distance of 400.79 feet to a 3/8-inch steel rod with cap marked "AZAB" set for the northeast corner of said 7,7051 acre tract.

THENCE North 88 degrees 53 minutes 58 seconds East, along the south line of said 12,850 acre tract, a distance of 498.74 feet to a 3/8-inch steel rod with cap marked "AZAB" set on the west line of said Dallas North Talway for the northeast corner of said 12,850 acre tract.

THENCE North 00 degrees 43 minutes 18 seconds West, along the common line between said 12,850 acre tract and said Dallas North Talway, a distance of 282.87 feet to the POINT OF BEGINNING and containing 150,400 square feet, or 4.408 acres of land, more or less.

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

OWNERS' DEDICATION

STATE OF TEXAS
COUNTY OF COLLIN

THAT Dallas Area Rapid Transit and Croom Interests, Ltd. acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described as NW Plano Park & Ride Addition - Lots 1 & 2, Block A, an addition to the City of Plano, Texas, and does hereby dedicate to the City of Plano, Texas, for public use forever, the streets, alleys, public use areas, and easements shown thereon. The streets and alleys are dedicated for public purposes. The easements and public use areas, as shown, are dedicated to the City of Plano, Texas, 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 same unless the easement limits the use to particular utilities, and 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 encroach or interfere with the construction, maintenance, or efficiency of their respective systems as 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, 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 (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he (they) shall maintain the same in a state of good repair of 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 parking on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places using such fire lanes, stating "Fire Lane, No Parking". The 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 with 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, workmen and representatives having ingress, egress, and regress in, 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 at this the ____ day of _____, 2011.

Dallas Area Rapid Transit (DART)
a Texas Regional Transportation Authority

By: _____
Name: _____
Title: _____

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

Croom Interests, Ltd.
a Limited Liability Company

By: _____
Name: _____
Title: _____

STATE OF TEXAS
COUNTY OF ()

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 purposes and considerations 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
My Commission Expires: _____

STATE OF TEXAS
COUNTY OF ()

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 purposes and considerations 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
My Commission Expires: _____

STATE OF TEXAS
COUNTY OF ()

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 purposes and considerations 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
My Commission Expires: _____

STATE OF TEXAS
COUNTY OF ()

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 purposes and considerations 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
My Commission Expires: _____

STATE OF TEXAS
COUNTY OF ()

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 purposes and considerations 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
My Commission Expires: _____

SURVEYOR'S CERTIFICATE

I, JEFFREY H. SHEPPARD, a Registered Professional Land Surveyor, hereby certify that I have performed, for this plat, an actual on-the-ground survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Plano, Texas.
PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

JEFFREY H. SHEPPARD
Registration No. _____

STATE OF TEXAS
COUNTY OF ()

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Leonard V. Wall, 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 considerations 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

My Commission Expires: _____

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

My Commission Expires: _____

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

My Commission Expires: _____

SHEET 2 OF 2
CONVEYANCE PLAT
OF
NW PLANO PARK & RIDE ADDITION
LOTS 1 & 2, BLOCK A
BEING 611,751 SQ.FT. OR 14.044 ACRES
SITUATED IN THE
COLLIN COUNTY SCHOOL LAND SURVEY ~ ABSTRACT 150 &
HENRY B. MILLER SURVEY ~ ABSTRACT 614
PLANO, COLLIN COUNTY, TEXAS

OWNER - LOT 1
DALLAS AREA RAPID TRANSIT
1401 PACIFIC AVENUE
DALLAS, TEXAS 75202
TELEPHONE (214) 749-2905
CONTACT: ALI KARBEE

OWNER - LOT 2
CROOM INTERESTS, LTD.
1421 WINDRICK BLVD
HOUSTON, TEXAS 77057-1729
TELEPHONE (713) 887-1606
CONTACT: EARLANE BACCUS CROOM

ENGINEER
CP&Y, INC. (FIRM REG. NO. 1741)
1820 REGAL ROW, SUITE 200
DALLAS, TEXAS 75235
TELEPHONE (214) 638-0500
CONTACT: LARRY BEENKEN

SURVEYOR
AZ&B, INC.
11356 MCCREY ROAD
DALLAS, TEXAS 75238
TELEPHONE (214) 341-8900
CONTACT: JEFFREY SHEPPARD

FEBRUARY 2011
CP&Y No. DARD8031.CO/TASK 24

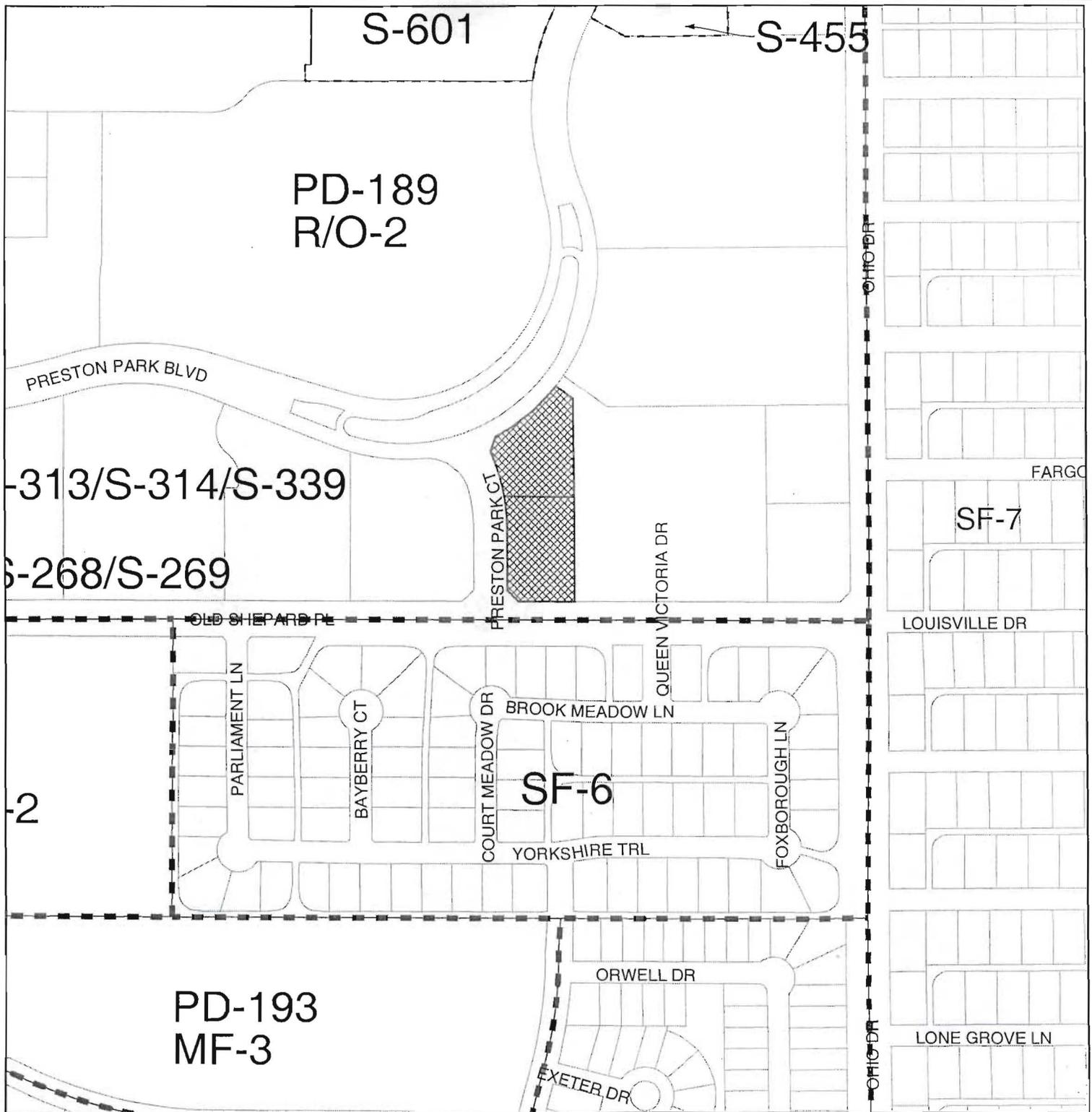
NOTICE:
A conveyance plat is a record of property approved by the city for the purpose of sale or conveyance in its entirety or interests therein defined. No building permit shall be issued for any proposed public utility structure until the plat is approved, filed of record, and public improvements are shown in accordance with the provisions of the Subdivision Ordinance of the City of Plano. Selling a portion of this property by metes and bounds, except as approved on an approved, filed, and accepted conveyance plat, final plat, or replat is a violation of the city ordinance and State law.

NOTICE:
SELLING ANY PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES, AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES.

PURPOSE OF CONVEYANCE PLAT:
TO ESTABLISH TWO LOTS AND DEDICATE RIGHT-OF-WAY AND EASEMENTS FOR FUTURE DEVELOPMENT.

BASIS OF BEARINGS:
TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83), NORTH CENTRAL ZONE (4202), AS DETERMINED BY GPS OBSERVATIONS USING THE WDS/VRS NETWORK.

1 Lot
9.474 AC. (NET)
9.556 AC. (GROSS)
2 Lot
4.488 AC. (NET)
4.488 AC. (GROSS)

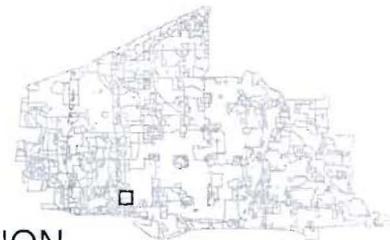


Item Submitted: PRELIMINARY PLAT

Title: PRESTON PARK BUSINESS CENTER ADDITION
BLOCK A, LOTS 4 & 5

Zoning: PLANNED DEVELOPMENT-189-RETAIL/GENERAL OFFICE

○ 200' Notification Buffer



LOT 2, BLOCK 1
SILVER FERN ADDITION
CAB. 2007-176
P.R.C.G.L.

Line	Length	Bearing
L1	159.19	S 60°29'31" E
L2	22.70	S 90°30'29" W
L3	7.27	S 03°21'27" W
L4	10.07	N 00°29'31" W
L5	38.08	N 00°29'31" W
L6	10.07	S 88°56'13" E
L7	138.24	S 00°29'31" E
L8	9.38	N 00°29'31" W
L9	10.00	S 89°30'29" E
L10	10.00	S 00°29'31" E
L11	11.49	N 89°30'29" E
L12	10.00	S 00°29'31" E
L13	1.80	S 00°29'31" E
L14	35.81	S 89°30'29" W

Curve	Radius	Length	Delta	Chord	Chord Bearing
C1	125.00	13.11	29°44'57"	8.45	S 60°29'31" E
C2	632.88	88.27	98°52'52"	48.18	S 07°31'28" W

Lot 1
298.482 ± 76,852 Ac.
Conveyance Only
CONVEYANCE PLAT
LOT 1, BLOCK 1
SILVER FERN ADDITION
CAB. 2007-176
P.R.C.G.L.

FOWLER MIDDLE SCHOOL
FRISCO ISD
Vol. 4310, Pp. 2325

John Wheeler Survey - Abstract No. 1029

McDERMOTT RD
(130' Public R.O.W.)

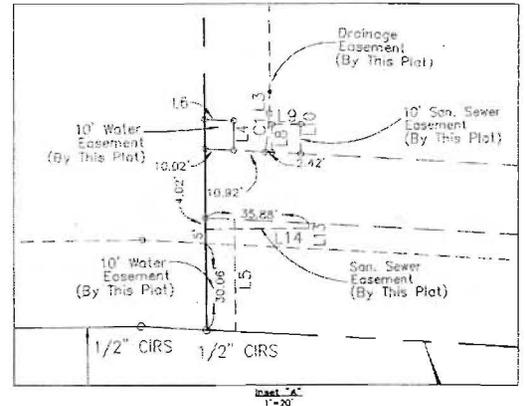
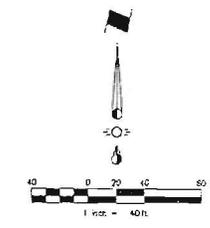
N86°56'13"W
127.28'

S89°45'56"W
173.42'

POINT OF BEGINNING

D=06°52'51"
T=43.82'
R=942.88'
L=98.19'
CB=N02°29'29"E
CL=98.15'

D=30°02'01"
T=121.78'
R=483.96'
L=237.96'
CB=S14°31'04"W
CL=236.25'



PURPOSE OF REVISED CONVEYANCE PLAT:
To Dedicate Easements on Lot 1 for Lot 3.

BASIS OF BEARINGS:
Basis of bearing, horizontal and vertical position derived from the Texas MDS RTN Network - Texas State Plane Coordinate System, NAD83, North Central Zone (4202). Verified with static GPS observations and an OPUS solution, NAD 83 (GORS96) Epoch 2002.0, Vertical positions are referenced to NAVD83 using (GCR0003).

NOTICE:
Being a portion of this plat that is subject to City Ordinance and State Law and is subject to filing and recording of utility and building permits.

A Conveyance Plat is a record of property approved by the City for the purpose of sale or conveyance in its entirety or interests thereon defined. No building permit shall be issued nor permanent public utility service provided until a Final Plat is approved, filed of record, and public improvements accepted in accordance with the provisions of the Subdivision Ordinance of the City of Plano. Selling a portion of this property by males and bounds, except as shown on an approved, filed, and accepted Conveyance Plat, Final Plat, or Replat is a violation of the City Ordinance and State Law.

SHEET 1 OF 2
REVISED CONVEYANCE PLAT
OF
SILVER FERN ADDITION
LOT 1, BLOCK 1 - 6.852 Acres
situated in the
JOHN WHEELER SURVEY - ABSTRACT 1029
PLANO, COLLIN COUNTY, TEXAS

Engineer/Designer: Spivey Engineering, Inc. (TSPE No. F-2121) 765 Custer Road, Suite 100, Plano, Texas 75075, Telephone (972) 422-0077, Contact: Kevin Wae
Surveyor: Ronald McDermott Family Partnership, P.O. Box 678307, Dallas, Texas 75367, Telephone (214) 750-7799, Contact: Ronald McDermott

1 Lot
6.852 Ac. (Gross)

Scale 1"=40' January 2011

OWNER'S CERTIFICATE
STATE OF TEXAS
COUNTY OF COLLIN

Being a portion of a called 153.118 acre tract conveyed to Ronald McCutchin Family Partnership as recorded in Clerk No. 98-0048292, Deed Records, Collin County and also being a 6.852 acre tract of land adjacent to the John Wheeler Survey, Abstract No. 1029 City of Plano, Collin County, Texas, and being all of Lot 1, Block 1 of Silver Fern Addition, an addition to the City of Plano as recorded in Volume 2011, Page 19, Plat Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap stamped "SPARSENG" set at the southeast corner of said Lot 1, and also being in the north line of McDermott Road (130' Public Right-of-Way) and also being the southwest corner of a tract of land described in deed to Frisco ISD as recorded in Volume 4310, Page 2325, Deed Records, Collin County, Texas;

THENCE along the north line of said McDermott Road and the south line of said Lot 1, the following courses and distances:

South 89°14'58" West, 173.42 feet to a 1/2 inch iron rod with plastic cap stamped "SPARSENG" set for corner;

North 86°56'13" West, 127.38 feet to a 1/2 inch iron rod with plastic cap stamped "SPARSENG" set at the southeast corner of Lot 3, Block 1;

THENCE North 00°29'31" West departing from said north line, for a distance of 353.35 feet to a 1/2 inch iron rod with plastic cap stamped "SPARSENG" set at the northeast corner of said Lot 3, Block 1;

THENCE South 89°30'38" West, for a distance of 223.00 feet to a 1/2 inch iron rod with plastic cap stamped "SPARSENG" set for corner in the east line of Coll Road (130' Public Right-of-Way) same being the northwest corner of said Lot 3, Block 1;

THENCE North 00°29'31" West along said east line of Coll Road and the west line of said Lot 1, for a distance of 258.98 feet to a aluminum monument (containing monument) found for corner at the beginning of a curve to the right;

THENCE along said curve to the right whose chord bears North 02°29'29" East, 98.15 feet and through a central angle of 06°52'51", a radius of 942.88 feet and on arc length of 98.19 feet to a 1/2 inch iron rod with plastic cap stamped "SPARSENG" set for corner at the northwest corner of said Lot 1;

THENCE North 89°20'04" East departing said east line of Coll Road and along the common line of said Lot 1 and Lot 2 of said Silver Fern Addition, for a distance of 579.22 feet to a 5/8 inch capped iron rod found for common corner of said Lots 1 and 2 and also in the west line of Fowler Middle School tract as recorded in Volume 4310, Page 2325, Deed Records, Collin County, Texas, and also being the beginning of a non-tangent curve to the left;

THENCE along said curve to the left whose chord bears South 14°31'04" West, 235.25 feet and through a central angle of 30°02'01", a radius of 433.86 feet and on arc length of 237.98 feet to a 1/2 inch iron rod with plastic cap stamped "SPARSENG" set for corner in the east line of said Lot 1 and west line of said Fowler Middle School tract;

THENCE South 00°29'58" East along the common line of said Lot 1 and Fowler Middle School tract, for a distance of 480.99 feet to the Point of Beginning and containing 298,482 square feet or 6.852 acres of land.

OWNER'S DEDICATION
STATE OF TEXAS
COUNTY OF COLLIN

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT Ronald McCutchin Family Partnership acting by and through their authorized officers, does hereby adopt this plat designating the herein above described as SILVER FERN ADDITION - LOT 1, BLOCK 1, 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 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 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 hereof. 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 line 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 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 paving on the fire line easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lines, 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 lines 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, workmen and representatives having ingress, egress, and regress in, 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 at Dallas TX, this 11th day of February, 2011.

By: Ronald McCutchin
Name: Ronald McCutchin
Title: Managing Partner

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 Ronald McCutchin 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 11th day of February, 2011.

John M. Schreedy
Notary Public in and for
The State of Texas

SURVEYOR'S CERTIFICATE

I, Daran 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 platting rules and regulations of the Town of Prosper, Texas.

Daran K. Brown
Daran K. Brown
Registration No. 5252



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 Daran 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 purposes and considerations 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

My Commission Expires:

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 3 OF 3
REVISED CONVEYANCE PLAT
OF
SILVER FERN ADDITION
LOT 1, BLOCK 1 - 6.852 Acres
situated in the
JOHN WHEELER SURVEY ~ ABSTRACT 1029
PLANO, COLLIN COUNTY, TEXAS

Engineer/Surveyor: Splars Engineering, Inc.
Splars Engineering, Inc.
1801 E. F-2121
765 Custer Road, Suite 100
Plano, Texas 75075
Telephone: (972) 422-0077
Contact: Kevin Wier

Owner: Ronald McCutchin Family Partnership
Ronald McCutchin Family Partnership
P.O. Box 870307
Dallas, Texas 75387
Telephone: (214) 750-7769
Contact: Ronald McCutchin

1 Lot
6.852 Ac. (Gross)

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 21, 2011

Agenda Item No. 6

Public Hearing: Zoning Case 2010-22

Applicant: City of Plano

DESCRIPTION:

Request to amend Subsection 3.1107 (Schedule of Off-street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance pertaining to medical office parking requirements.

REMARKS:

On November 15, 2010, the Planning & Zoning Commission called a public hearing to consider an amendment to the Zoning Ordinance pertaining to medical office parking requirements. The Commission was requested to consider amendments to medical office parking requirements due to challenges associated with reusing existing office buildings initially planned for general office uses. The general office buildings have insufficient parking to accommodate medical office uses.

HISTORY:

In 1980, the City of Plano instituted the current medical office parking requirement of 1 space per 175 square feet (1:175) of floor area. Prior to 1980, the medical office parking requirement was 1:300, the same as the general office parking requirement that existed then and which remains today. The rationale to change the medical office parking requirement from 1:300 to 1:175 was due to medical office uses generating six times more vehicular trips per day than general office uses. In 1980, staff also monitored the usage of medical office parking facilities and found that medical office parking facilities were operating at or near full capacity even when they were providing more parking spaces than what was required at that time. Additionally, some sites had vehicles parked within fire lanes due to insufficient available parking. Staff studies and surveys of medical office parking requirements resulted in a zoning ordinance amendment changing the parking requirement to 1:175.

city's current medical office parking requirement would attract potential medical office developers, as well as medical office tenants wanting to occupy existing office buildings. Staff recommends that the medical office parking requirement be amended to 1 space per 200 square feet of floor area (1:200). A parking ratio of 1:200 could encourage reuse of existing buildings while reducing the amount of paved areas. The proposed parking ratio would also make the city at par with other surrounding cities such as Frisco, Garland, Arlington, and Dallas.

RECOMMENDATIONS:

Recommended for approval subject to the following: (Deletions are indicated in strikethrough text; additions are indicated in underlined text)

Amend Subsection 3.1107 (Schedule of Off-street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) as follows:

Office Medical: 1 space for each ~~475~~ 200 square feet of floor area.

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 21, 2011

Agenda Item No. 7A

Public Hearing: Zoning Case 2011-01

Applicant: Birkel Custer 121 Partners Ltd.

DESCRIPTION:

Request to rezone 13.9± acres located at the northwest corner of Kathryn Lane and Rowlett Cemetery Road **from** Regional Commercial **to** Multifamily Residence-3. Zoned Regional Commercial/State Highway 121 Overlay District.

REMARKS:

The applicant is requesting to rezone 13.9± acres at the northwest corner of Kathryn Lane and Rowlett Cemetery Road. The current zoning is Regional Commercial (RC). The RC district is intended to provide for retail and service uses at appropriate nodes within the corridor of specified tollways and expressways serving Plano and surrounding communities. This is in addition to office and limited manufacturing uses.

The requested zoning is Multifamily Residence-3 (MF-3). The MF-3 district is intended to provide for relatively dense condominium and apartment developments at 21.5 residential units per acre. This density will allow limited areas of usable open space that must be carefully designed for maximum accessibility and utilization by the residents of an MF-3 development. MF-3 districts should have access and frontage to major thoroughfares, with no principal access to standard residential streets.

Surrounding Land Use and Zoning

The property to the north is currently undeveloped and zoned RC; to the east, across Rowlett Cemetery Road, there is a vacant property, a veterinary clinic, and a cemetery all zoned RC. To the west is a garden center zoned RC. To the south and across Kathryn Lane are existing multifamily units zoned Planned Development-484-Multifamily-2 (PD-484-MF-2).

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Major Corridor Development (MCD). This request is not in conformance with the Future Land Use Plan since the applicant is proposing MF-3 residential development. The city's

current land use policies recommend that land along expressway corridors be reserved for economic development and employment opportunities.

Housing Density Policy Statement

To encourage dispersal of multifamily development around the city of Plano, the Housing Density Policy Statement of the Comprehensive Plan recommends a maximum of 500 multifamily units within proximity to each other. The applicant is proposing 264 multifamily units near the existing 480 multifamily units across Kathryn Lane, to the south of the proposed site, for a total of 744 units within a given area. The policy statement further recommends a minimum 1,500 feet separation distance between 500 multifamily units' concentrations. The proposed multifamily development is within 95± feet of the existing multifamily units to the south.

Additionally, the policy statement recommends no residential development within 1,200 feet of the centerline of State Highway 121 and the proposed project is 803± feet from the centerline of State Highway 121. A reason for the 1,200 setback provision is due to proximity of residential use to an expressway and promoting a livable residential environment. The setback area allows for commercial development to serve as a buffer for residential uses located beyond the 1,200 distance.

The existing multifamily developments at the southwest corner of Kathryn Lane and Rowlett Cemetery Road, as well as at the southeast corner of Independence Parkway and State Highway 121, were zoned for multifamily prior to the policy statement that prohibits residential development within 1,200 feet of the centerline of State Highway 121. The State Highway 121 residential setback policy was established in 1998 and the zoning for both multifamily developments were adopted in 1994.

Adequacy of Public Facilities

Water and sanitary sewer services are available to serve the subject property. However, the applicant will need to verify that the sanitary sewer capacity is sufficient to accommodate the proposed change in use from commercial to multifamily residential.

Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request.

Summary

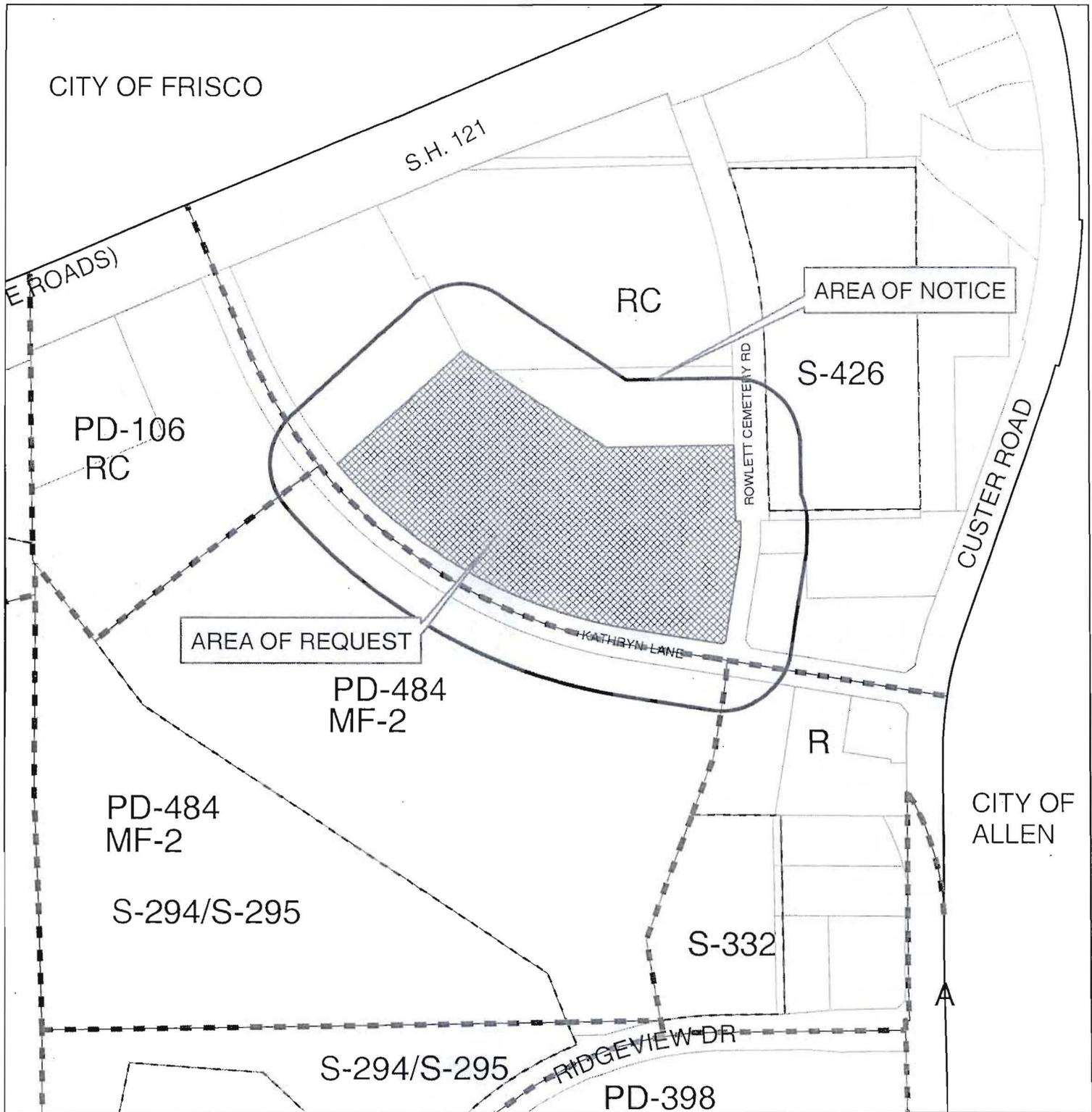
The applicant is requesting to rezone an undeveloped 13.9± acre tract from RC to MF-3 for multifamily development. The request is not in conformance with the future land use plan of the Comprehensive Plan. Furthermore, the request is not consistent with the Housing Element of the Comprehensive Plan, specifically the maximum unit concentrations and the minimum separation distance requirements for multifamily developments. The project is not consistent with the preservation of land within major expressway corridors and employment centers for economic development and employment opportunities.

Overall, staff believes the proposed location is not appropriate for multifamily uses. While there are existing multifamily units to the south, Kathryn Lane forms a good

divider for other uses to the north. The current RC zoning provides numerous commercial uses that are more suitable at this location than what is being proposed. Multifamily uses at the proposed location will not be the best and appropriate use for the site. Therefore staff recommends denial of the requested rezoning from RC to MF-3.

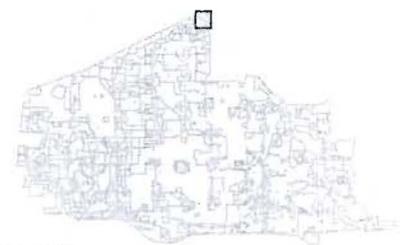
RECOMMENDATION:

Recommended for denial.



Zoning Case #: 2011-01

Existing Zoning: REGIONAL COMMERCIAL/
STATE HIGHWAY 121 OVERLAY DISTRICT



○ 200' Notification Buffer

REPLY FORM

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

Dear Commissioners:

This letter is regarding Zoning Case 2011-01. The property is on one lot on 13.9± acres at the northwest corner of Kathryn Lane and Rowlett Cemetery Road. The current zoning is Regional Commercial (RC). The RC district is intended to provide for retail and service uses at appropriate nodes within the corridor of specified tollways and expressways serving Plano and surrounding communities, in addition to office and limited manufacturing uses. The requested zoning is Multifamily Residence-3 (MF-3). The MF-3 district is intended to provide for relatively dense condominium and apartment developments at 21.5 residential units per acre. This density will allow limited areas of usable open space that must be carefully designed for maximum accessibility and utilization by the residents of an MF-3 development. MF-3 districts should have access and frontage to major thoroughfares, with no principal access to standard residential streets.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2011-01.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2011-01.

This item will be heard on **February 21, 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.

Klaus Birkel
Name (Please Print)

Klaus Birkel
Signature

4297 Comp Cooney Rd
Address
Franklin, TX 77856

Feb. 4, 2011
Date

BM

RECEIVED

FEB 18 2011

PLANNING DEPT.

REPLY FORM

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

Dear Commissioners:

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This item will be heard on **February 21, 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.

DOUGLAS C. BRONSTAD, DVM
Name (Please Print)

Douglas C Bronstad, DVM
Signature

10225 CUSTER RD. PLANO 75025
Address

2-16-11
Date

BM

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 21, 2011

Agenda Item No. 7B

Concept Plan: Custer/121 Addition, Block 1, Lot 8

Applicant: Birkel Custer 121 Partners Ltd.

DESCRIPTION:

264 Multifamily Residence-3 units on 1 lot on 13.9± acres located at the northwest corner of Kathryn Lane and Rowlett Cemetery Road. Zoned Regional Commercial/State Highway 121 Overlay District. Neighborhood #3.

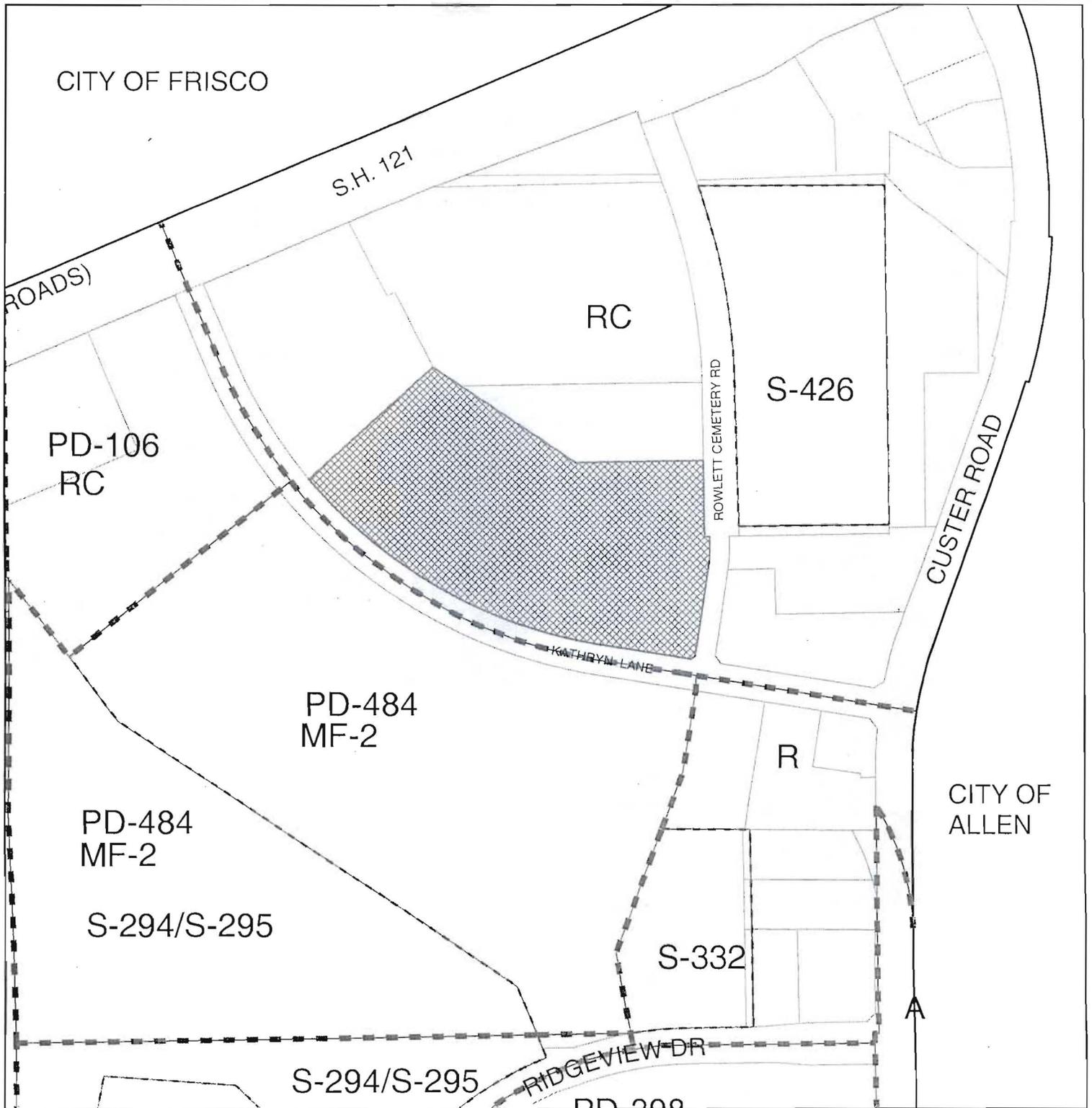
REMARKS:

The purpose for this concept plan is to show the proposed multifamily development and the related site improvements. The multifamily development is a maximum 3 stories and at a density of 19 dwelling units per acre. The site has access from Kathryn Lane, Rowlett Cemetery Road, and the shared fire lane, access and utility easement at the west property line.

Due to staff's recommendation for denial of the companion case, Zoning Case 2011-01, staff recommends denial of the proposed concept plan.

RECOMMENDATION:

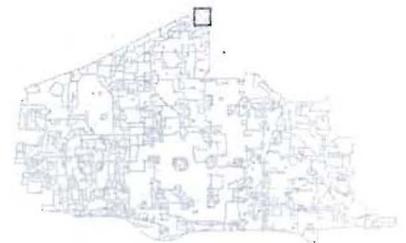
Recommended for denial.



Item Submitted: CONCEPT PLAN

Title: CUSTER/121 ADDITION
BLOCK 1, LOT 8

Zoning: REGIONAL COMMERCIAL/
STATE HIGHWAY 121 OVERLAY DISTRICT



○ 200' Notification Buffer

LOT 7, BLOCK 1
CUSTER/121 ADDITION

6.721 AC.
292,773 sq. ft.
ZONED: RC
SCALLAWAY NURSERY

PORTION OF LOTS, BLOCK 1
CUSTER/121 ADDITION CAB. J. SLIDE 776

ZONED: RC
METRO FAMILY CHURCH INC.

LOT 6, BLOCK 1
CUSTER/121 ADDITION

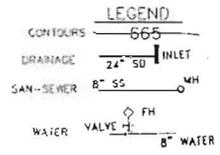
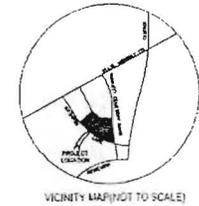
3,000 AC.
130,685 sq. ft.
ZONED: RC
METRO FAMILY CHURCH INC.

LOT B, BLOCK 1
CUSTER/121 ADDITION
RECORDED CABINET J. SLIDE 776

13,886 AC.
604,888 sq. ft.
ZONED: RC

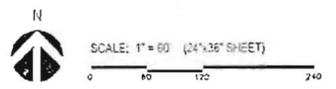
R = 1455.00'
D = 4074.52'
T = 1039.00'
L = 1017.00'
CH = 1411.33'
CB = N 60°37'01" W

LOT 3
CUSTER/121 ADDITION
Cab. J. Slide 776
ZONED: PD-484, MF-2
BES RIDGEVIEW FUND IV LP ET AL



NOTE:
1. UTILITY INFORMATION
IS GENERAL LOCATION
AND PER CITY OF PLANO RECORDS

PROJECT TABULATION	
SITE AREA: APPROX.	13.9 ACRES
ZONING:	MF-2
TOTAL NO. OF UNITS:	264
DENSITY:	19
TYPE 4 (3-STORY E-JURBANK):	45 UNITS PER BUILDING
TOTAL 160 UNITS	
UNIT AVERAGE:	956 SF
TYPE 2 (2-STORY RES HOUSE):	12 UNITS PER BUILDING
TOTAL 64 UNITS	
UNIT AVERAGE:	1,101 SF
TOTAL 264 UNITS	
DENSITY:	19 UNITS/ACRE
PARKING PROVIDED:	58
SURFACE PARKING:	449
TOTAL:	508
	(1.91 SPACES/UNIT)



NOTES:
1. UTILITY INFORMATION IS GENERAL LOCATION AND PER CITY OF PLANO RECORDS
2. BENCHMARK CITY OF PLANO CONTROL, STATION K12 ESTABLISHED 12/11/86. THE STATION, STAMPED CITY OF PLANO MARKER, STATION K12, IS LOCATED IN A CURVE, 37.0 FEET EAST OF THE CENTERLINE OF FM 2478 (CUSTER ROAD), 1.04 MILES NORTH OF WADSWORTH ROAD, 0.47 MILES SOUTH OF HIGHWAY 121, 2.5 FEET WEST OF AN ANGLE POINT IN THE FENCE LINE AND 6.0 FEET SOUTH OF THE PROJECTED CENTERLINE OF A DIRT ROAD TO THE WEST. ELEVATION = 856.26

PLAN TYPE: CONCEPT PLAN	PROJECT NAME: KATHRYN LANE SITE	GEORGE WHITE SURVEY, ABSTRACT NO. 992 COLLIN COUNTY, TEXAS
ZONING CASE: -	CUSTER/121 ADDITION, LOT B, BLOCK 1, 13,886 ACRES, CITY OF PLANO COLLIN COUNTY, TEXAS	DATE: 2/19/2011
OWNER LOT 6 & LOT B: PEGASUS ABLON 8222 DOUGLAS, SUITE 605 DALLAS, TEXAS 75225 214-420-8093	ENGINEER/SURVEYOR: Winkelmann & Associates, Inc. 2700 HILLVIEW PLAZA, SUITE 400, DFW AIRPORT, TEXAS 75243 214-343-1111 WWW.WINKELMANN.COM	HUMPHREYS & PARTNERS ARCHITECTS L.P. 1001 W. WOODLAND BLVD., SUITE 100, DALLAS, TEXAS 75243 214-761-1111 WWW.HUMPHREYS-AND-PARTNERS.COM

CITY OF PLANO

PLANNING & ZONING COMMISSION

February 21, 2011

Agenda Item No. 8

Public Hearing: Zoning Case 2011-02

Applicant: City of Plano

DESCRIPTION:

Request to amend Subsections 2.824 (RC - Regional Commercial), 2.825 (RE - Regional Employment), 2.827 (LI-1 - Light Industrial-1), and 2.828 (LI-2 - Light Industrial-2) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), and Subsection 3.302 (Nonresidential Uses) of Section 3.300 (Exterior Wall Construction Standards for Structures) of Article 3 (Supplementary Regulations), and related sections of the Zoning Ordinance regarding the use of metal as an exterior wall construction material in nonresidential zoning districts.

REMARKS:

Recently, staff has received several requests to allow the use of metal as an exterior wall construction material in nonresidential zoning districts. Currently, the Zoning Ordinance allows metal as an exterior wall material in the Light Industrial-1 (LI-1) and Light Industrial-2 (LI-2) zoning districts only with approval of a facade plan by the Planning & Zoning Commission. For the most part, the requests to use metal have not been for solid metal buildings, but instead to use metal as an accent or feature on a building which is mostly constructed of stone, brick, pre-cast concrete, or another non-metallic finish. Due to the frequency of the requests that staff has received; we believe it is appropriate to consider amendments to the Zoning Ordinance's regulations of metal.

Plano's current regulations were created in order to address quality and aesthetic concerns associated with metal buildings. Previous ordinances were written in order to limit the use of these buildings and similar structures within the city. In recent years, staff has received more requests to use metal as an exterior facade material. Many architects prefer to use metal as it can be a sturdy, durable, attractive, and sustainable facade material. The appearance and benefits of metal as an exterior material are something that many architects and developers are beginning to favor, and staff anticipates more requests in the future to use metal as an exterior wall material.

ISSUES:

The following are issues to consider pertaining to the use of metal exterior wall construction materials. The proposed ordinance amendment options are a result of the discussion and direction received from the Commission at their meeting on February 7, 2011.

Metal in Nonresidential Zoning Districts (Excluding Industrial Districts)

There are many different types of metal used as an exterior wall material including steel, aluminum, copper, bronze, and many composites. Metal can be shaped, molded, colored, and used to fit almost any structure and design. Some cities have made distinctions between the types of metal that are allowed and prohibited within their ordinances. However, since there are so many different types of metal products, staff recommends not creating distinctions between types of metals in the Zoning Ordinance, but instead specifying a maximum allowable percentage for each building elevation as a method for limiting the amount of metal. The reason for this is that it would allow for a limited amount of metal as an exterior wall material, yet the majority of the building would still be composed of brick, stone, glass, pre-cast concrete, or other non-metallic building material.

Staff has developed several options for potential ordinance language which could regulate the allowance of metal on buildings within nonresidential zoning districts.

Option 1:

- A. A maximum of 10% of any exposed exterior wall may consist of metal. This requirement may be exceeded in accordance with the following:
 1. A maximum of 25% percent of any exposed exterior wall may consist of metal with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission.
 2. Within the LI-1 and LI-2 districts only, up to 100% of any exposed exterior wall may consist of metal with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:
 - a. The metal exterior wall is not visible from a public thoroughfare or residential zoning district.
 - b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.

Option 2:

- A. A maximum of 25% of any exposed exterior wall may consist of metal construction. This requirement may be exceeded within the LI-1 and LI-2 districts in accordance with the following:
1. Up to 100% of any exposed exterior wall may consist of metal with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:
 - a. The metal exterior wall is not visible from a public thoroughfare or residential zoning district.
 - b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.

Staff recommends Option 2 because we believe that 25% is an acceptable percentage of metal to be allowed on each facade of buildings in nonresidential zoning districts. This percentage would allow an architect to use metal panels or other metal features to create a unique look, while the majority of the building would retain its traditional brick, stone, glass, pre-cast concrete, or other non-metallic finish similar to other buildings within the city.

Staff is also suggesting that facade plan approvals be maintained at an administrative level for those buildings that are not requesting special considerations from the Commission, as is currently the practice today. Given the subjective review associated with facade plan requests, staff is concerned that without appropriate criteria in order to objectively review the use of metal on proposed buildings, it will be difficult for the Commission to be consistent in their review of facade plans. If the Commission believes that a certain percentage of metal may be appropriate, then it should consider allowing that percentage by right.

High-rise Buildings

Metal as an exterior wall material is a preferred or common material particularly for high-rise buildings. A high-rise building is a building having any floor used for human occupancy located more than 55 feet above the lowest level of fire department vehicle access, as defined in the International Building Code. High-rise buildings have larger building facades, and could benefit from the use of metal because it is a cost effective, durable, and attractive material.

Staff has developed several options for potential ordinance language regulating metal as an exterior wall material for high-rise buildings.

Option 1:

For high-rise buildings only, a maximum of 25% of any exposed exterior wall may consist of metal.

Option 2:

For high-rise buildings only, a maximum of 25% of any exposed exterior wall 2 stories or 35 feet and below may consist of metal; above 2 stories or 35 feet a maximum of 50% of any exposed exterior wall may be metal except where building materials are regulated elsewhere in this Ordinance. (Example: RE/RC districts)

Option 3:

For high-rise buildings only, a maximum of 50% of any exposed exterior wall may consist of metal except where building materials are regulated elsewhere in this Ordinance (Example: RE/RC districts).

Staff recommends Option 3 because we believe that 50% is an acceptable percentage of metal for high-rise office buildings due to the larger area encompassed by their building facades. There are many examples of quality high-rise buildings with 50% or greater percentages of metal on their facades in other cities. Staff believes that the requests to use metal on high-rise buildings will increase with future developments within the city.

Light Industrial-1 and Light Industrial-2 Districts

Currently, the use of metal is allowed in the LI-1 and LI-2 districts with the approval of a facade plan as part of the site plan process. If the city is to allow metal as a facade material in other nonresidential zoning districts, staff recommends moving the ordinance language out of the LI-1 and LI-2 districts to Article 3 (Supplementary Regulations), and modifying the language to be consistent with other nonresidential zoning districts. If, for example, the city were to allow 25% of facades in other nonresidential zoning districts to be metal, staff would recommend these allowances also extend to the LI-1 and LI-2 districts. Any use of metal above and beyond the 25% would still require facade plan approval by the Commission as part of the site plan process as long as the buildings meet specific separation and visibility provisions, which is consistent with current regulations.

Regional Employment and Regional Commercial Districts

After discussing the Regional Employment (RE) and Regional Commercial (RC) districts with the Commission at their meeting on February 7, 2011, staff is not proposing any additional materials be added to the 75% glass, native stone, clay-fired brick, or tile requirements. However, consideration needs to be given to high-rise buildings within these districts. If the Commission determines that 25% or less is an acceptable percentage of metal on high-rise buildings, this percentage would be consistent with the existing material requirements, and metal could be allowed as part of the maximum 25% alternate material allowances in the RE and RC districts. If a percentage greater than 25% is recommended, whether it be on all buildings or only on high-rise buildings, specific language would have to be included within Article 3 (Supplementary Regulations) and Subsections 2.824 and 2.825 (RC - Regional Commercial and RE - Regional Employment Districts) of Article 2 (Zoning Districts and Uses) to address the additional allowance for metal.

Reflectance of Metal

At its meeting on February 7, 2011, the Commission expressed concern regarding visible reflectivity of metal facade materials. Some metal building materials, such as stainless steel, have a high visible reflectivity, and can reflect a large amount of direct sunlight away from their surfaces. Because there are many different types of metal exterior wall materials, with different types of glosses and finishes, staff believes it will be difficult to create an appropriate percentage of maximum visible reflectivity that will adequately regulate all types and forms of metal exterior wall materials. If the Commission is concerned about the issue of limiting the visible reflectivity, staff suggests limiting the percentage of allowable metal on an exterior facade, instead of imposing a maximum percentage of visible reflectivity. Staff believes that the maximum percentages of metal which are being proposed in the ordinance language in this report will sufficiently address the issue of visible reflectivity.

Additionally, the U.S. Energy Star program encourages the use of reflective materials. Reflecting sunlight away from buildings reduces energy costs and diminishes the damaging effects of high temperature and intense sunlight which over time can damage exterior surfaces. Limiting the reflectivity would limit building designs that meet Energy Star, LEED, and other similar sustainable building design ratings. In recent years, the use of sustainable building materials has become an important design element in many developments. Staff believes it would not be prudent for the city to create regulations which may inhibit sustainable development practices.

RECOMMENDATION:

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

1. Amend Subsection 3.302 (Nonresidential Uses) of Section 3.300 (Exterior Wall Construction Standards for Structures) of Article 3 (Supplementary Regulations) to read as follows:

1. Except as otherwise regulated by this ordinance, exterior wall construction in districts permitting nonresidential uses shall be of such material that conforms to the International Building Code unless an alternative has been approved by the Building Official. ~~However, metal and membrane exterior walls are prohibited in all zoning districts with the following exception:~~

~~Metal and membrane exterior wall construction is permitted in the Light Industrial-1 and Light Industrial-2 districts with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:~~

- a. ~~The metal or membrane exterior wall construction is not visible from a public thoroughfare or residential zoning district.~~

~~b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.~~

2. Metal exterior wall construction within nonresidential zoning districts shall be permitted as follows:

A maximum of 25% of any exposed exterior wall may consist of metal. This percentage may be exceeded in accordance with the following:

a. For high-rise buildings only, a maximum of 50% of any exposed exterior wall may consist of metal except where building materials are regulated elsewhere in this Ordinance.

b. Within the LI-1 and LI-2 districts only, up to 100% of any exposed exterior wall may consist of metal construction with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:

i.a. The metal exterior wall is not visible from a public thoroughfare or residential zoning district.

ii.b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.

c. Membrane exterior wall construction is permitted within the LI-1 And LI-2 districts only, with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:

i.a. The membrane exterior wall is not visible from a public thoroughfare or residential zoning district.

ii.b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.

3.2. Special Requirements for Parking Structures

Except in BG and CB-1 zoning districts, all exterior walls of parking structures shall be architecturally designed to be integrated with the primary building on the site, including consistent architectural design elements and building materials between structures.

2. **Amend Subsection 2.827 (LI-1 - Light Industrial-1) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) to read as follows:**

6. Special District Requirements

- a. ~~Metal exterior buildings are prohibited in the LI-1 district, except that such buildings may be permitted by approval of a site plan. See Subsection 3.302 (Nonresidential Uses) for provisions regarding metal and membrane exterior building materials.~~

3. Amend Subsection 2.828 (LI-2 - Light Industrial-2) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) to read as follows:

6. Special District Requirements

- a. ~~Metal exterior buildings are prohibited in the LI-1 district, except that such buildings may be permitted by approval of a site plan. See Subsection 3.302 (Nonresidential Uses) for provisions regarding metal and membrane exterior building materials.~~

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 21, 2011

Agenda Item No. 9

Public Hearing - Replat & Revised Site Plan:
Plano Tech Center II, Block 1, Lot 1R

Applicant: William O'Neil & Company

DESCRIPTION:

Light manufacturing and office on 1 lot on 11.5± acres located on the south side of Plano Parkway, 900± feet west of Shiloh Road. Zoned Research/Technology Center/190 Tollway/Plano Parkway Overlay District with Specific Use Permit #605 for Print Shop (Major). Neighborhood #68.

REMARKS:

The purpose for this replat is to abandon the access easement from a portion of the existing 24-foot access, utility, and fire lane easement.

The purpose of the revised site plan is to provide for the construction of new fence and gates around the existing building and modify the existing fire lane, access, and utility easements accordingly.

RECOMMENDATIONS:

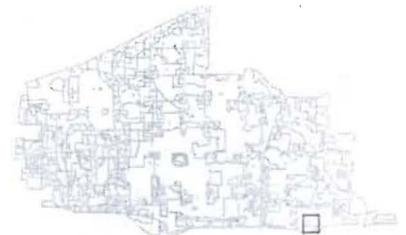
Recommended for approval as submitted.

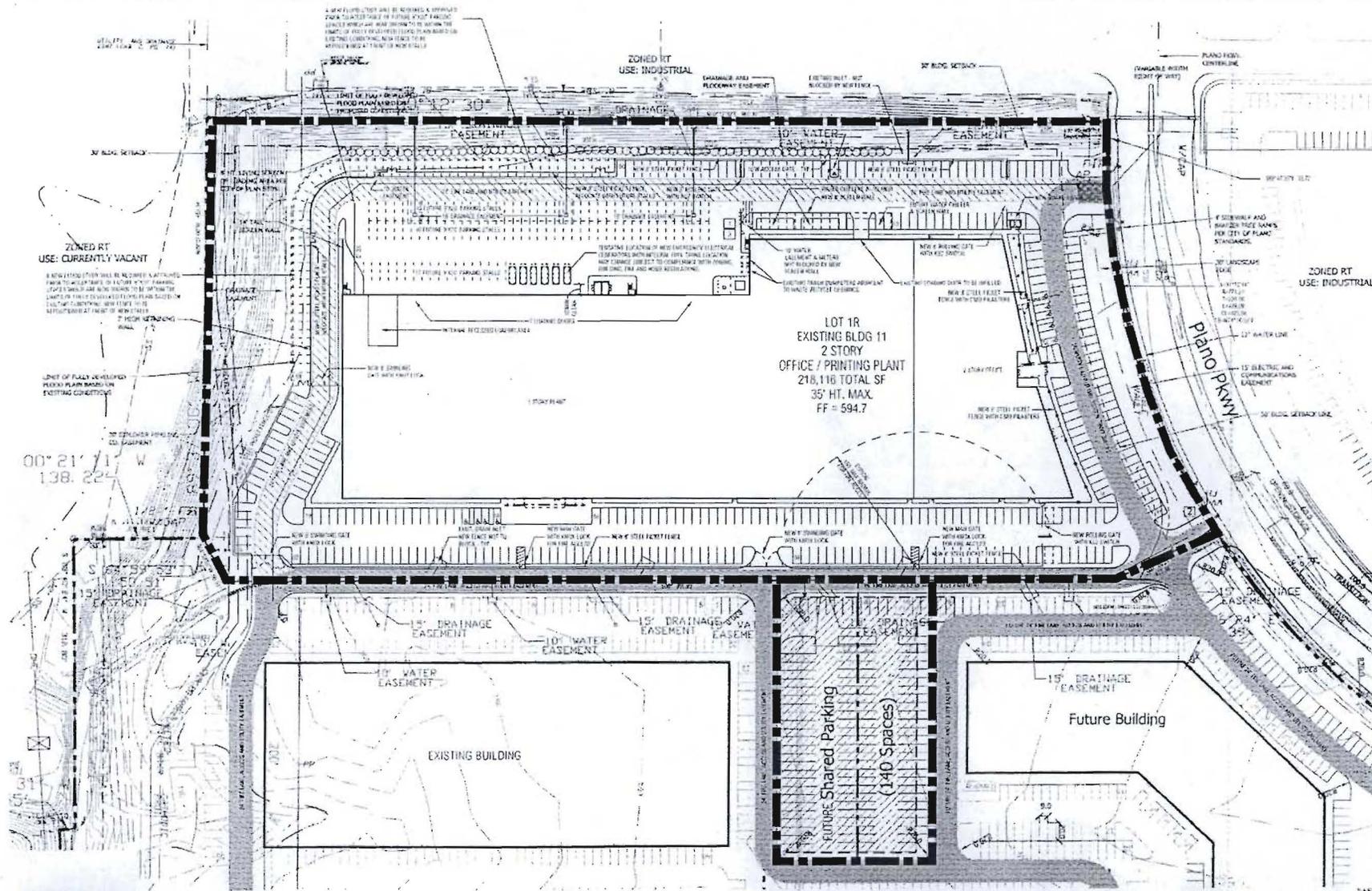


Item Submitted: REPLAT & REVISED SITE PLAN

Title: PLANO TECH CENTER II
BLOCK 1, LOT 1R

Zoning: RESEARCH/TECHNOLOGY CENTER w/SPECIFIC USE PERMIT #605/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT





PROJECT DATA

GENERAL SITE DATA	
LAND USE	OFFICE / PRINTING PLANT
LOT AREA	151,942 SF (3.48 AC)
BUILDING FOOTPRINT AREA	181,944 SF
TOTAL BUILDING AREA	218,116 SF
BUILDING HEIGHT	2 STORIES
CHYS DATE	06/25
ISSUE	04/11

PARKING	
PARKING RATIO	1.0000 SF
10% OF OFFICE (111 STALLS)	11,100 SF
10% OF MANUF (146 STALLS)	14,600 SF
REQUIRED PARKING	25,700 SF
PROVIDED PARKING	276 STALLS
PERMISSIBLE STALLS	159 STALLS
PROPOSED PARKING	419 STALLS

PARKING RATIO PER 40,000 SQUARE FEET	
75% (75,750 SF) OFFICE (640 STALLS)	8,625 SF
25% (25,000 SF) MANUF (35 STALLS)	625 SF
REQUIRED PARKING	9,250 SF
PROVIDED PARKING	419 STALLS
PERMISSIBLE STALLS	159 STALLS
PROPOSED PARKING	419 STALLS

ACCESSIBLE PARKING REQUIRED	0 STALLS
ACCESSIBLE PARKING PROVIDED	0 STALLS
PARKING IN EXCESS OF 1% OF REQUIRED PARKING SPACES	0 STALLS

LANDSCAPE AREA	
REPAIRED EXISTING LANDSCAPE AREA	10,000 SF (0.23 AC)
ADDITIONAL INTERIOR LANDSCAPE AREA PROVIDED	10,000 SF (0.23 AC)
TOTAL LANDSCAPE AREA	20,000 SF (0.46 AC)
IN FUTURE LANDSCAPE PROVIDED WITH FUTURE STALLS	17,000 SF (0.39 AC)
PERMISSIBLE AREA (NOT INCLUDING LANDSCAPE)	41 SF
LANDSCAPE AREA	10,000 SF
BUILDING FOOTPRINT AREA	181,944 SF
AREA OF SIDEWALKS, PATIOWNS AND PATIOWNS	10,000 SF
TOTAL IMPERVIOUS AREA	191,944 SF
AMOUNT OF LANDSCAPE + PERMISSIBLE AREAS	491,944 SF

- SITE PLAN GENERAL NOTES**
1. THE LANDSCAPE SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS.
 2. THE LANDSCAPE SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS.
 3. LANDSCAPE SHALL BE PROVIDED IN ALL AREAS AND THROUGHOUT THE LOT, INCLUDING ALL AREAS COVERED BY THE EXISTING BUILDING, EXCEPT WHERE SHOWN OTHERWISE.
 4. PERMISSIBLE AREA SHALL BE PROVIDED IN ALL AREAS OF THE PROPERTY EXCEPT WHERE SHOWN OTHERWISE. PERMISSIBLE AREA SHALL BE PROVIDED IN ALL AREAS EXCEPT WHERE SHOWN OTHERWISE.
 5. MECHANICAL, ELECTRICAL, AND TELECOMMUNICATIONS SHALL BE LOCATED IN ACCORDANCE WITH THE CITY STANDARDS.
 6. ALL UTILITY CONDUITS SHALL BE PROVIDED BY THE UTILITY PROVIDER.
 7. APPROVAL OF THE SITE PLAN BY THE CITY OF PLANO SHALL BE REQUIRED BEFORE ANY CONSTRUCTION SHALL BE PERMITTED.
 8. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY STANDARDS.
 9. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY STANDARDS.
 10. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY STANDARDS.
 11. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY STANDARDS.
 12. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY STANDARDS.
 13. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY STANDARDS.
 14. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY STANDARDS.
 15. ALL UTILITIES SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY STANDARDS.

REGA
Office of Architectural Design
10211 Arroyo Parkway, Suite 300
Irvine, CA 92618
Tel: 949-451-0022
Fax: 949-451-0023

EXISTING METER SCHEDULE

BLDG. ID	DESC.	TYPE	SIZE	NO.	SANITARY SEWER
1	DOMESTIC	2"	1	1	6"
2	IRRIGATION	1-1/2"	1	N/A.	
3	DOMESTIC	2"	1	1	6"



REVISED SITE PLAN FOR:
PLANO TECH CENTER II
BLOCK 1, LOT 1R, PORTION OF TRACT 8 (11.34 ACRES)
PORTION OF J.B. ROUNDTREE SURVEY, ABSTRACT NO. 759 AND
PORTION OF JT. MCCOLLUM SURVEY, ABSTRACT NO. 633
COLLIN COUNTY, TEXAS

OWNER:
WILLIAM O'NEIL & CO.
12000 BEATRICE STREET
LOS ANGELES, CA 90006
310-445-0430

ARCHITECT:
WILLIAM O'NEIL & CO.
12000 BEATRICE STREET
LOS ANGELES, CA 90006
310-445-0430

SITE PLAN

NOTE: THE PURPOSE OF THIS REVISED SITE PLAN IS TO PROVIDE FOR THE CONSTRUCTION OF A NEW FENCE AROUND THE EXISTING BUILDING AND MODIFY THE EXISTING FIRE AND UTILITY EASEMENT ACCORDINGLY. ALL IMPROVEMENTS SHOWN ARE EXISTING UNLESS SPECIFICALLY NOTED OTHERWISE

JANUARY 24, 2011

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 21, 2011

Agenda Item No. 10

Discussion & Direction: Research/Technology Center Zoning District

Applicant: City of Plano

DESCRIPTION:

Request for discussion and direction regarding recommendations from the Planning & Zoning Commission to City Council regarding possible amendments to the Research/Technology Center zoning district boundaries, regulations, and related sections of the zoning ordinance.

REMARKS:

Last fall, approximately 70 acres in the far southeast portion of Plano was rezoned from PD-202-Research/Technology Center District to Single-Family Residence-6 (SF-6) and Single-Family Residence Attached (SF-A) zoning. Following these rezoning cases and based on the changing conditions in this region of the city, the City Council requested a review of the existing Research/Technology Center district (RT) and directed staff to work with the Planning & Zoning Commission to develop a new plan for this area. The Commission completed their analysis and based on their direction, the attached recommendations have been prepared for forwarding to City Council.

RECOMMENDATION:

Recommended that the Planning & Zoning Commission provide staff direction regarding the recommendations pertaining to the Research/Technology Center zoning district, and if the Commission recommendations should be forward to City Council.

MEMORANDUM

To: Honorable Mayor Phil Dyer and the Plano City Council
From: Christopher J. Caso, Chairman of the Planning & Zoning Commission
Subject: Research/Technology Center zoning district examination
Date: February 17, 2011

Background

Last fall, approximately 70 acres in the far southeast portion of Plano was rezoned from PD-202-Research/Technology Center District to Single-Family Residence-6 (SF-6) and Single-Family Residence Attached (SF-A) zoning (map attached). Following these rezoning cases and based on the changing conditions in this region of the city, the City Council requested a review of the existing Research/Technology Center district (RT) and directed staff to work with the Planning & Zoning Commission to develop a new plan for this area.

In our evaluation of the area, the Commission looked at two issues: what the boundaries of the "core" RT area should be, including analyzing appropriate uses for any areas that might be removed from the RT; and the existing RT zoning district regulations.

The following recommendations that are being forwarded for the Council's consideration are the result of many discussions with various interested groups. The Commission received input from property owners, tenants, residents and Economic Development and Planning staff. Letters were mailed to all RT property owners to invite them to participate in each of the Commission's discussions. Staff and Commissioners attended the Southeast Plano Business Alliance meeting on January 11, 2011, to solicit additional feedback from area businesses regarding the zoning district regulations.

Recommendations

District Boundaries:

In evaluating the current zoning, recent changes, and development the Commission developed the following recommendations about the RT zoning district boundaries and appropriate uses.

- The area west of Bradshaw Drive currently zoned as RT constitutes the "core" of the RT district and should remain intact.
- The area east of Plano Parkway, south of 14th Street should retain the current PD-202-RT zoning.
- The area east of Bradshaw, north of the railroad tracks, west of Plano Parkway and south of 14th Street, is appropriate for additional residential development. However, during our discussions, these specific property owners were not present. Given the lack of input from the property owners, the Commission does

not recommend a City-initiated rezoning or amendment to the Future Land Use Plan at this time.

Research/Technology District Zoning Regulations:

During the discussion of the Research/Technology Center zoning district, several issues related to the existing RT district development regulations emerged. The main issues centered on concerns that certain regulations unnecessarily restrict development in the area. The Zoning Ordinance states that “the RT district is intended to create a low density, employment center consisting of office, research and development facilities, and limited assembly operations. RT districts should generally accommodate several users in a campus environment.” The Commission determined that this is still a valid intent and evaluated the district regulations based on this guidance.

The Commission determined that certain regulations such as the prohibition of open storage and delivery vehicles, limitations on the number of dock doors, and limitations on the gross floor area for office/showroom warehouse uses are critical to the intent and character of the RT district and should not be changed. The Commission identified areas of the ordinance that appear to be adding substantial cost or unnecessary restrictions to development and redevelopment of RT properties without providing commensurate benefit to the district. The Commission therefore supports modifying the RT regulations as described below.

Landscaping Requirements

The RT district currently requires that “A minimum of 20% of the total lot area shall be landscaping.” This requirement contributes positively to the overall look and feel of the RT district. However, it does require a significant amount of land be dedicated to landscaping which raises the cost of development and, in some cases, can inhibit redevelopment of a site. The standard non-residential landscaping requirements, as defined in Section 3.1200 (Landscaping) of the Zoning Ordinance, would be less restrictive while still requiring a significant amount of landscaping in support of the overall look and feel of the RT district. Additionally, a substantial portion of the properties in the RT district are subject to the regulations in Section 4.700 (190 Tollway/Plano Parkway Overlay District) which contains landscape requirements that further enhance these properties.

The Commission recommends removing the unique provisions for landscaping in the RT zoning district and replacing them with the standard non-residential landscaping regulations as required elsewhere throughout the city.

Parking

The RT district requires that “In order to accommodate future changes in use, approved site plans shall include adequate land area to increase parking to the minimum requirements for office development (one space per 300 square feet) for 75% of the gross floor area of any building.” This requirement is sometimes problematic, especially for sites that were initially developed under Light Industrial regulations that are now seeking to redevelop under RT requirements.

This provision does help to keep options open for future reuse of sites for office and other uses with higher parking requirements but the net result may be that it is too restrictive to be useful for the district. The Commission supports removing this requirement from the RT zoning district.

Restaurants in RT

A freestanding (sole use and occupant) restaurant/cafeteria is permitted in an RT district when it is built as part of larger development and constitutes no more than ten percent of that development, it has a minimum of 5,000 square feet of gross floor area, and no drive-in window. It has been noted on several occasions that there are a limited number of restaurants in the immediate vicinity of the RT district to serve the employees working in the area; however, there are many within a few miles, including those in downtown Plano, near Collin Creek mall and an increasing number in the State Highway 190 corridor. It is difficult to determine if the lack of restaurants is due to the regulations or perhaps a result of lack of appropriate sites with sufficient traffic and visibility for restaurant uses.

The Commission recommends removing the ten percent restriction because the change would not adversely impact the district and it would open up the possibility for a freestanding restaurant to develop without being part of a larger project. The Commission supports retaining the 5,000 square foot minimum size and restriction on drive-ins. This change is the same modification that was made to the Regional Employment district last year.

Action from City Council

The Commission is requesting that the Council consider the Commission's recommendations regarding the Research/Technology Center district and provide direction. If the Council concurs and gives direction to do so, the Commission and staff are ready to proceed with the amendments to the district.

Sincerely,

Christopher J. Caso, AICP
Chair, City of Plano Planning & Zoning Commission

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 21, 2011

Agenda Item No. 11

Discussion & Direction: Determine a Meeting Date and Time for Planning & Zoning Commissioner Training on Various Topics

Applicant: City of Plano

DESCRIPTION:

Discussion and direction to determine a meeting date and time for a training session for the Planning & Zoning Commission.

REMARKS:

Periodically, the Planning & Zoning Commission participates in training sessions related to the legal aspects of planning and zoning, standards of review for plats and site plans, comprehensive planning, and similar topics. It has been some time since the Commission held a training session, and staff asks that the Commission determine a date and time for another one.

While there are legal issues that the City Attorney's office wishes to cover in the session, this is also an opportunity for the Commission to determine other items to include on the agenda.

RECOMMENDATION:

Staff requests that the Commission determine a date and time for a training session, and to indicate if there are certain topics that should be included on the agenda.

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 21, 2011

Agenda Item No. 12

**Request to Waive the 2-Year Waiting Period & Call a Public Hearing:
Planned Development-65-Central Business-1**

Applicant: JBI Partners

DESCRIPTION:

Request to waive the 2-year waiting period for consideration of amending Planned Development-65-Central Business-1 zoning district development regulations related to single-family attached uses, and call a public hearing.

REMARKS:

Per the attached letter, the applicant is requesting a waiver of the 2-year waiting period for consideration of a rezoning request. The purpose of the rezoning request is to amend the development regulations for Planned Development-65-Central Business-1 (PD-65-CB-1) as it pertains to setback requirements for single-family attached uses.

Within The Town Homes at Legacy Town Center, Phase Four subdivision, located at the northwest corner of Parkwood Boulevard and Headquarters Drive, the franchise utility infrastructure was installed on the individual platted lots outside of the existing utility easements. The applicant would prefer to amend the setback requirements of the planned development district instead of relocating the utilities. They also would rather not have to modify their design of the residential structures in accordance with the current setback requirements and existing utility conditions.

The last amendment to PD-65-CB-1 was approved by City Council on September 13, 2010, pertaining to signage. The Zoning Ordinance stipulates that zoning changes or amendments may not be considered for a period of 2 years after the date of a prior zoning change or amendment for a particular property, unless there are substantive reasons to waive the waiting period. Substantive reasons for waiving the 2-year period include, but are not limited to:

1. Correction of an error;
2. A change in conditions affecting the property and which were not known at the time of zoning; and

3. A change in public plans or policies as it effects the property.

Waiver of the 2-year waiting period will allow the applicant to bring forward the zoning amendment to the Planning & Zoning Commission.

RECOMMENDATION:

Recommended that a waiver of the 2-year waiting period be granted if the Planning & Zoning Commission finds substantive reasons for granting the request, and call a public hearing to amend Planned Development-65-Central Business-1 zoning district.



16301 Quorum Drive
Suite 200 B
Addison, Texas 75001

RECEIVED
FEB 08 2011
PLANNING DEPT.

T.972.248.7676
F.972.248.1414

February 8, 2011

Ms. Tina Firgens
Planning Department
City of Plano
1520 Avenue K, Suite 250
Plano, Texas 75074

Re: Various lots (listed on Attached Exhibit "A") owned by D.R. Horton – Texas, Ltd.
The Town Homes at Legacy Town Center, Phase Four
Proposed amendment to PD-65-CB-1
Request to waive the two-year waiting period and call for public hearing.
JBI project No. HOE128

Dear Ms. Firgens:

On behalf of D.R. Horton –Texas, Ltd., please accept this request to consider a waiver of the two-year waiting period to amend PD-65-CB-1 and call for public hearing. We respectfully request this item be scheduled for consideration at the earliest possible Planning and Zoning Commission meeting.

Approval of this request will allow us to bring forward a request to amend the "minimum front yard setback from a public street" as defined in the zoning ordinance. A reduction in front building setback will allow a rear yard public utility easement be dedicated for **existing** franchise utility infrastructure, which was inadvertently placed across the backs of the lots without an easement. If this request moves forward, we are prepared to present our reasons why a front yard setback reduction is the best solution to keep the utilities in place and maintain current home square footages, without compromising the current streetscape of the neighborhood.

Please see attached Exhibit "A", a list of the affected lots for this request, Exhibit "B", a plan highlighting said lots and Exhibit "C", a letter from Oncor supporting the request.

If you need further specific information about our request at this time, I will be happy to provide this to you. Thank you for assistance in this matter.

Sincerely,

JBI Partners, Inc.



Jeff Miles, PE

Cc. David Booth, D.R. Horton – Texas, Ltd.
Michael Baldwin, Oncor

EXHIBIT "A"

Legal Description of the Property

Tract 1:

Lots 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, and 18, Block A;

Lots 2, 3, 4, 6, 7, 8, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 23, 24 and 25, Block B;

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, Block C;

Lots 17, 18, 19, 20, 21, 22, 23, 24 and 25, Block D;

Lots 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12, Block E;

Lots 2, 3, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 19, 20 and 21, Block F;

Lots 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block G;

Lots 15, 16, 17, 18, 19 and 20, Block I;

Lots 2, 3, 4, 5, 6, 7 and 8, Block M; and

Lots 2, 3, 4, 5, 6, 7 and 8, Block N, THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE FOUR, an Addition to the City of Plano, Collin County, Texas, according to the map or plat thereof recorded in Volume 2007, Page 364, Plat Records of Collin County, Texas.

EXHIBIT "C"



Michael L. Baldwin
Area Manager

Oncor Electric Delivery
4600 State Highway 121
McKinney, Texas 75070

Tel 972 569 1289

Fax 972 569 6319

January 27, 2011

City of Plano
Attn: Mrs. Phyllis Jarrell
P.O. Box 860358
Plano, TX 75086-0358

Re: Zoning Petition by D.R. Horton/Texas Ltd. – The Townhomes of Legacy, Phase Four

Dear Mrs. Jarrell,

Oncor supports the request by D.R. Horton / Texas, Ltd to amend the minimum front building setback for The Town Homes at Legacy Town Center, Phase Four. This will allow D.R. Horton / Texas, Ltd to grant a utility easement to cover existing Oncor facilities.

If you have any questions, please feel free to contact me at 972-569-1289.

Sincerely,

Michael L. Baldwin

Michael L. Baldwin
Area Manager

Cc: David Booth, D.R. Horton /Texas Ltd.
Jeff Miles, JBI Partners, Inc.