

PLANNING & ZONING COMMISSION

PLANO MUNICIPAL CENTER

1520 K AVENUE

July 20, 2009

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 July 6, 2009, 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: Washington-Shaddock Addition, Block A, Lot 2 - Medical office on one lot on 1.2± acres located on the south side of Chapel Hill Boulevard, 210± feet east of Dallas North Tollway. Zoned Regional Commercial/Dallas North Tollway Overlay District. Neighborhood #41. Applicant: William C. Shaddock, Trustee</p> <p><u>END OF CONSENT AGENDA</u></p>	

	<p><u>PUBLIC HEARINGS</u></p>	
<p>6 BM</p>	<p>Public Hearing: Zoning Case 2009-10 - Request to amend Subsection 2.818 (R-Retail) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance regarding mini-warehouse/public storage regulations. Applicant: City of Plano</p>	
<p>7 EH</p>	<p>Public Hearing: Zoning Case 2009-12 - Request for a Specific Use Permit for Winery on one lot on 0.1± acre located at the northwest corner of Preston Road and Plano Parkway. Zoned Planned Development-457-Retail/General Office/190 Tollway/Plano Parkway and Preston Road Overlay Districts. Neighborhood #54. Applicant: Larry Epp</p>	
<p>8 BM</p>	<p>Public Hearing: Zoning Case 2009-13 - Request to amend Subsection 4.505 of Section 4.500 (Preston Road Overlay District), Subsection 4.605 of Section 4.600 (Dallas North Tollway Overlay District), Subsection 4.705 of Section 4.700 (190 Tollway/Plano Parkway Overlay District), Subsection 4.805 of Section 4.800 (State Highway 121 Overlay District), and Subsection 4.904 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations) and related sections of the Zoning Ordinance pertaining to overhead electrical regulations. Applicant: City of Plano</p>	
<p>9 BM</p>	<p>Public Hearing - Preliminary Replat: Alcatel USA Addition, Block A, Lots 6R & 7 - Electrical substation on one lot and one vacant lot on 8.3± acres located on the south side of Lotus Drive, 1,280± feet east of Independence Parkway. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District. Neighborhood #64. Applicant: Oncor Electric Delivery Company</p>	
<p>10 BM</p>	<p>Public Hearing - Replat: West Park Preston Addition, Block A, Lot 1R - Bank on one lot on 1.6± acres located at the northeast corner of Park Boulevard and Prestwick Road. Zoned Planned Development-68-Retail/Preston Road Overlay District. Neighborhood #42. Applicant: Frost Bank</p>	
<p>11 KP</p>	<p>Public Hearing: Estate Development District - Request for discussion and direction regarding potential changes to the Estate Development zoning district and related sections of the Zoning Ordinance and to receive public comment. Applicant: City of Plano</p>	
	<p><u>END OF PUBLIC HEARINGS</u></p>	

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Items for Future Discussion - The Planning & Zoning Commission may identify issues or topics that they wish to schedule for discussion at a future meeting.

Council Liaisons: Mayor Pro Tem Harry LaRosiliere and Council Member Pat Miner

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

July 20, 2009

Agenda Item No. 5a

Preliminary Site Plan: Washington-Shaddock Addition, Block A, Lot 2
Applicant: William C. Shaddock, Trustee

Medical office on one lot on 1.2± acres located on the south side of Chapel Hill Boulevard, 210± feet east of Dallas North Tollway. Zoned Regional Commercial/Dallas North Tollway Overlay District. Neighborhood #41.

The purpose of this preliminary site plan is to show the proposed medical office building and related site improvements.

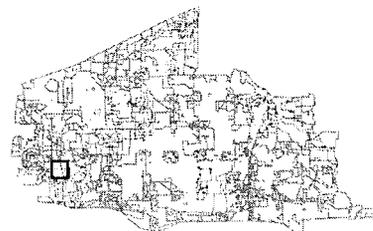
Recommended for approval as submitted.



Item Submitted: PRELIMINARY SITE PLAN

Title: WASHINGTON-SHADDOCK ADDITION
BLOCK A, LOT 2

Zoning: REGIONAL COMMERCIAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2009

Agenda Item No. 6

Public Hearing: Zoning Case 2009-10

Applicant: City of Plano

DESCRIPTION:

Request to amend Subsection 2.818 (R-Retail) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance regarding mini-warehouse/public storage regulations.

REMARKS:

On May 18, 2009, the Planning & Zoning Commission called a public hearing to consider Zoning Ordinance amendments regarding mini-warehouse/public storage requirements.

At its meeting on July 6, 2009, the Commission held a discussion and direction agenda item regarding this topic. After much discussion, the majority of the Commission signified that they did not want to pursue amending the mini-warehouse/public storage requirements within the Retail zoning district and related sections of the Zoning Ordinance at this time. Since staff had already published the required public hearing notice in the newspaper for consideration of the zoning case at the Commission's July 20, 2009 meeting, we hereby request that this zoning case be withdrawn.

RECOMMENDATION:

Recommended that the Planning & Zoning Commission accept staff's request to withdraw this zoning case.

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2009

Agenda Item No. 7

Public Hearing: Zoning Case 2009-12

Applicant: Larry Epp

DESCRIPTION:

Request for a Specific Use Permit for Winery on one lot on 0.1± acre located at the northwest corner of Preston Road and Plano Parkway. Zoned Planned Development-457-Retail/General Office/190 Tollway/Plano Parkway and Preston Road Overlay Districts. Neighborhood #54.

REMARKS:

The requested zoning is a Specific Use Permit (SUP) for Winery. A winery is a wine-making facility that: (1) ferments juices from grapes and/or other fruit, (2) blends wines, 3) manufactures, bottles, labels and packages wine, and/or performs any other activity authorized by Chapter 16, Winery Permit, of the Texas Alcoholic Beverage Code as amended. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established.

The applicant is proposing a winery in a 1,990± square foot lease space in an existing retail center. The proposed winery will ferment juices into wine from fruit grown off-premise, bottle and package wine, and sell wine for on-premise and off-premise consumption. The applicant may also have wine tasting. A winery is consistent with the existing restaurants and retail shops located in the retail center. There is adequate parking and circulation for this proposed use.

RECOMMENDATION:

Recommended for approval as submitted.

RECEIVED

JUL 17 2009

PLANNING DEPT

REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2009-12. The property is on 0.1± acre located at the northwest corner of Preston Road and Plano Parkway. The current zoning is Planned Development-457-Retail/General Office (PD-457-R/02). The requested zoning is for a Specific Use Permit (SUP) for a Winery. An SUP authorizes and regulates a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-12.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-12.

This item will be heard on **July 20, 2009, 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.

Jonathan Weinberg
Name (Please Print)

[Signature]
Signature

1501 Preston Rd.
Address

July 2/09
Date

EH

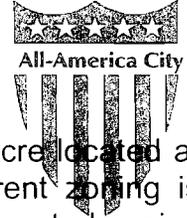
RECEIVED

JUL 14 2009

PLANNING DEPT

REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2009-12. The property is on 0.1± acres located at the northwest corner of Preston Road and Plano Parkway. The current zoning is Planned Development-457-Retail/General Office (PD-457-R/02). The requested zoning is for a Specific Use Permit (SUP) for a Winery. An SUP authorizes and regulates a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-12.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-12.

This item will be heard on **July 20, 2009, 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.

A Winery within 200 feet of my residential property is not welcome due to privacy loss and is not a welcome addition as it may reduce the value of my property going forward.

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

Chat P. Ganesh
Name (Please Print)

Chat P. Ganesh
Signature

5000 Albany Dr. Plano, TX 75093.
Address

07/14/2009.
Date

EH

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2009

Agenda Item No. 8

Public Hearing: Zoning Case 2009-13

Applicant: City of Plano

DESCRIPTION:

Request to amend Subsection 4.505 of Section 4.500 (Preston Road Overlay District), Subsection 4.605 of Section 4.600 (Dallas North Tollway Overlay District), Subsection 4.705 of Section 4.700 (190 Tollway/Plano Parkway Overlay District), Subsection 4.805 of Section 4.800 (State Highway 121 Overlay District), and Subsection 4.904 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations) and related sections of the Zoning Ordinance pertaining to overhead electrical regulations.

HISTORY:

At its June 1, 2009, meeting, the Planning & Zoning Commission called a public hearing to consider amendments to the Zoning Ordinance pertaining to the placement of overhead electrical utilities within overlay zoning districts and related sections of the Zoning Ordinance.

Staff presented to the Commission at its meeting on July 6, 2009, potential amendments to the Zoning Ordinance for discussion and to receive input and direction from the Commission. Comments received from the Commission included:

- Concern regarding cost to the developer and property owner for placing utilities underground;
- When businesses are evaluating where to locate, are we placing the City of Plano at a competitive advantage and/or disadvantage with other cities regarding:
 - Aesthetic appeal of our corridors; and
 - requiring the utilities to be placed underground and the cost associated with doing so;
- Can we require existing underground lines to remain underground if they need to be repaired;
- Can large developments be required to place utilities underground; and
- Potential legal issues associated with requiring utilities to be placed underground.

REMARKS:

The Zoning Ordinance requires that for properties located adjacent to Type C thoroughfares and above and within the overlay zoning districts, such as the Preston Road, Dallas North Tollway, 190 Tollway/Plano Parkway, State Highway 121, and Parkway Overlay Districts, the overhead electrical utilities shall be placed underground at such time when the properties are developed. Within certain of these overlay districts, distribution lines are allowed to remain above ground along frontage roads if located on steel or concrete posts.

Development Impact

Prior to deregulation, electrical companies would assist developers by financially subsidizing the placement of overhead electrical utilities underground since the developers were providing them with guaranteed customers. However, this is no longer the case since customers can now choose from many companies for electrical service. The cost to place lines underground and install the associated switchgear and other equipment has increased substantially in proportion to the overall development costs.

Many variables exist when trying to determine cost estimates for placing overhead electrical utilities underground including: whether it is a single phase or multiphase distribution system, the number of distribution (feeder) lines and where they are coming from to serve the property, switchgear and transformer equipment size and quantity needed, size of duct banks and whether they exist or not; other existing utilities within the area (i.e. high pressured gas, water, sewer, etc), and whether or not there is increased electrical load on the system. According to TXU Electric Delivery 2004 cost estimates, it costs \$185 per foot to bury a 3-phase large overhead, \$130 per foot to bury a 3-phase small overhead, \$110 per foot to bury a single phase overhead with one switchgear required per 500 foot of burial.

For specific projects, TXU in 2004 also estimated that it would cost Deerfield North Phase I \$401,510 to bury the overhead power lines along Preston Meadows Drive and Quincy Lane adjacent to the property, \$190,000 to bury overhead power lines along Hedgcoxe Road and Ohio Drive adjacent to Trinity Presbyterian Church property, and \$290,000 to bury the overhead power lines along Coit Road and Plano Parkway adjacent to John Paul II Catholic High School property. A subsequent cost estimate in 2007 for the high school site was approximately \$2.2 million for burying 2,450 linear feet of overhead utility (\$920.00 per linear foot). A 2007 retail and gas station project located at the southwest corner of the Dallas North Tollway and Plano Parkway cost \$435.00 per linear foot to bury the overhead electric utilities.

Given the significant costs for burying overhead electrical utilities in proportion to the remainder of the project, developers have applied for numerous requests for variances to be relieved of the requirement to bury the overhead power lines. The Board of Adjustment has approved most, but not all, variance requests. It is important to note that for cities, the challenge lies in justifying the requirement to place the utilities underground when the benefit of electrical service (i.e. utility usage) to the property is less than what would be required financially to place the utilities underground.

In some instances, developers experience challenges with other existing utilities adjacent to street right-of-way, which results in variance requests. An example is the QuikTrip project located at the southeast corner of Plano Parkway and K Avenue. There is a 50 foot Lone Star Gas easement along K Avenue, and due to the existing buried high pressure gas lines, the developer had no option but to request a variance, which was granted.

In addition, a ruling by the Public Utilities Commission prevents cities from requiring the electric companies (instead of a developer) to place new lines underground in compliance with zoning regulations. This ruling was made on the basis that the cost of placing lines underground cannot be recovered through the companies' tariffs. Consequently, the city would have to bear the costs of placing overhead electrical utilities underground.

Surrounding Cities

Research from surrounding cities concludes that the cities of Denton and Garland require underground placement of overhead electrical utilities because the cities own the electrical companies. The cities of Addison and Richardson, which do not provide electrical service to their residents, also require underground placement of overhead electrical lines as properties develop and redevelop. However, the cities of Dallas, Fort Worth, Arlington, McKinney, Frisco, and Allen do not require overhead electrical utilities to be placed underground. The city of Allen recently rescinded its ordinance requiring underground placement of overhead electrical utilities. Businesses considering locating in Plano versus our neighboring cities of Allen and Frisco may be inclined to locate within neighboring cities to minimize development costs.

Proposed Amendments:

For all these reasons, staff recommends that the overlay districts within the Zoning Ordinance be amended to repeal:

1. The underground placement of electrical and/or communication lines,
2. The requirement to place lines on concrete or steel poles, and
3. The 15-foot wide easement requirement to accommodate the underground placement of electrical and/or communication lines.

Should it be determined that easements for utilities be necessary when sites are developed or redeveloped, the city still has the ability to require easements where necessary as required by the Subdivision Ordinance.

Separate requirements in the Subdivision Ordinance for underground utilities along Type D and smaller streets will remain in place. These requirements have not been challenged as frequently as the overlay district requirements, since homebuyers typically expect utilities to be underground in residential subdivisions.

RECOMMENDATION:

Recommended for approval as follows: (Deletions are indicated in strikethrough text.)

Section 4.500 Preston Road Overlay District

Subsection 4.505

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs. Temporary lines extended across another property to reach a site under development may remain above ground until development or redevelopment of that property occurs. Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded. A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type C and above) for the underground placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.504. The requirement of an easement may be waived at the discretion of the appropriate utility provider.~~

Section 4.600 Dallas North Tollway Overlay District

Subsection 4.605

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs. Temporary lines extended across another property to reach a site under development may remain above ground until development or redevelopment of that property occurs. Except as noted below, all lines including individual service lines shall be installed underground. (ZC 99-28; Ordinance No. 99-7-9)~~

- ~~(1) Overhead placement is permitted along the outside lanes of the Dallas North Tollway frontage roads for electrical distribution and communications lines sharing the same support structures. Single post concrete and/or steel support structures are required.~~
- ~~(2) Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded.~~

~~A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type D and above) for the placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.604. Along the tollway frontage roads, two ten-foot easements shall be required. The requirement of an easement may be waived at the discretion of the appropriate utility provider(s). This requirement shall not apply to Central Business 1 zoned property within the corridor, except along the frontage roads of the Dallas North Tollway.~~

Section 4.700 190 Tollway/Plano Parkway Overlay District

Subsection 4.705

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs along all roadways (Type C or above). Exceptions to the above requirements are:~~

- ~~(1) Overhead placement is permitted along the northern right-of-way boundary of the 190 Tollway for electrical distribution and communications lines sharing the same support structures. Single post concrete and/or steel support structures are required.~~
- ~~(2) Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded.~~

~~A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type C and above) for the placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.704. The requirement of an easement may be waived at the discretion of the appropriate utility provider.~~

Section 4.800 State Highway 121 Overlay District

Subsection 4.805

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs along all roadways (Type C or above). Exceptions to the above requirements are:~~

- ~~(1) Overhead placement is permitted along the southern right-of-way boundary of State Highway 121 for electrical distribution and communications lines sharing the same support structures. Single post concrete and/or steel support structures are required.~~
- ~~(2) Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded.~~

~~A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type C and above) for the placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.804. The requirement of an easement may be waived at the discretion of the appropriate utility provider.~~

Section 4.900 Parkway Overlay District

Subsection 4.904

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs. Temporary lines extended across another property to reach a site under development may remain above ground until development or redevelopment of that property occurs. Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded. A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type C and above) for the underground placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.903. The requirement of an easement may be waived at the discretion of the appropriate utility provider.~~

With the deletion of these subsections within the Zoning Ordinance, the remaining subsections within each overlay district would be renumbered accordingly.

CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2009

Agenda Item No. 9

Public Hearing - Preliminary Replat: Alcatel USA Addition, Block A, Lots 6R & 7

Applicant: Oncor Electric Delivery Company

DESCRIPTION:

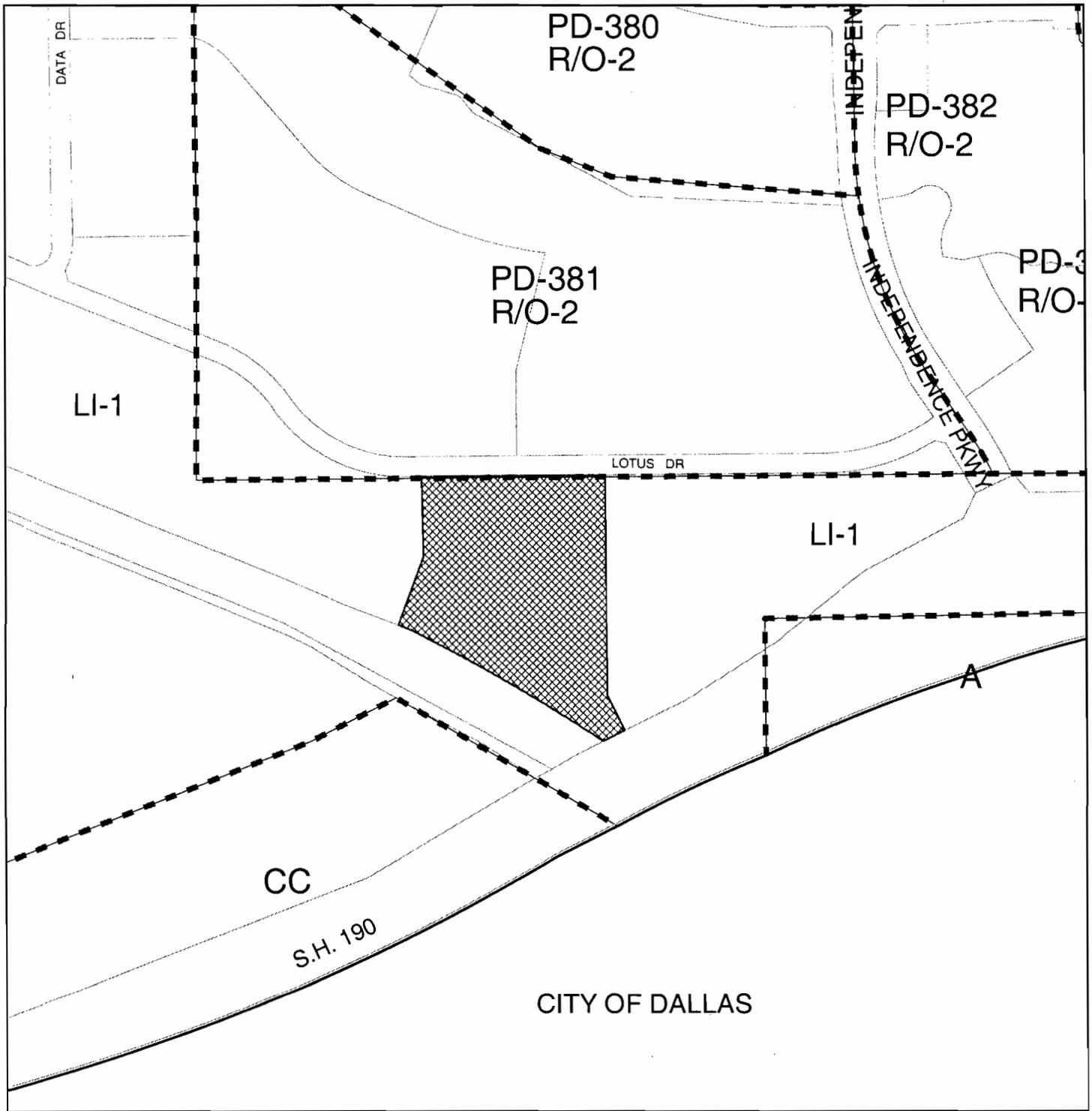
Electrical substation on one lot and one vacant lot on 8.3± acres located on the south side of Lotus Drive, 1,280± feet east of Independence Parkway. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District. Neighborhood #64.

REMARKS:

The purpose for this preliminary replat is to subdivide Lot 6 into two lots and dedicate easements necessary for the development of an electrical substation on Lot 7.

RECOMMENDATION:

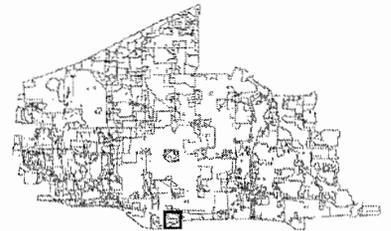
Recommended for approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.



Item Submitted: PRELIMINARY REPLAT

Title: ALCATEL USA ADDITION
BLOCK A, LOTS 6R & 7

Zoning: LIGHT INDUSTRIAL-1/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2009

Agenda Item No. 10

Public Hearing - Replat: West Park Preston Addition, Block A, Lot 1R

Applicant: Frost Bank

DESCRIPTION:

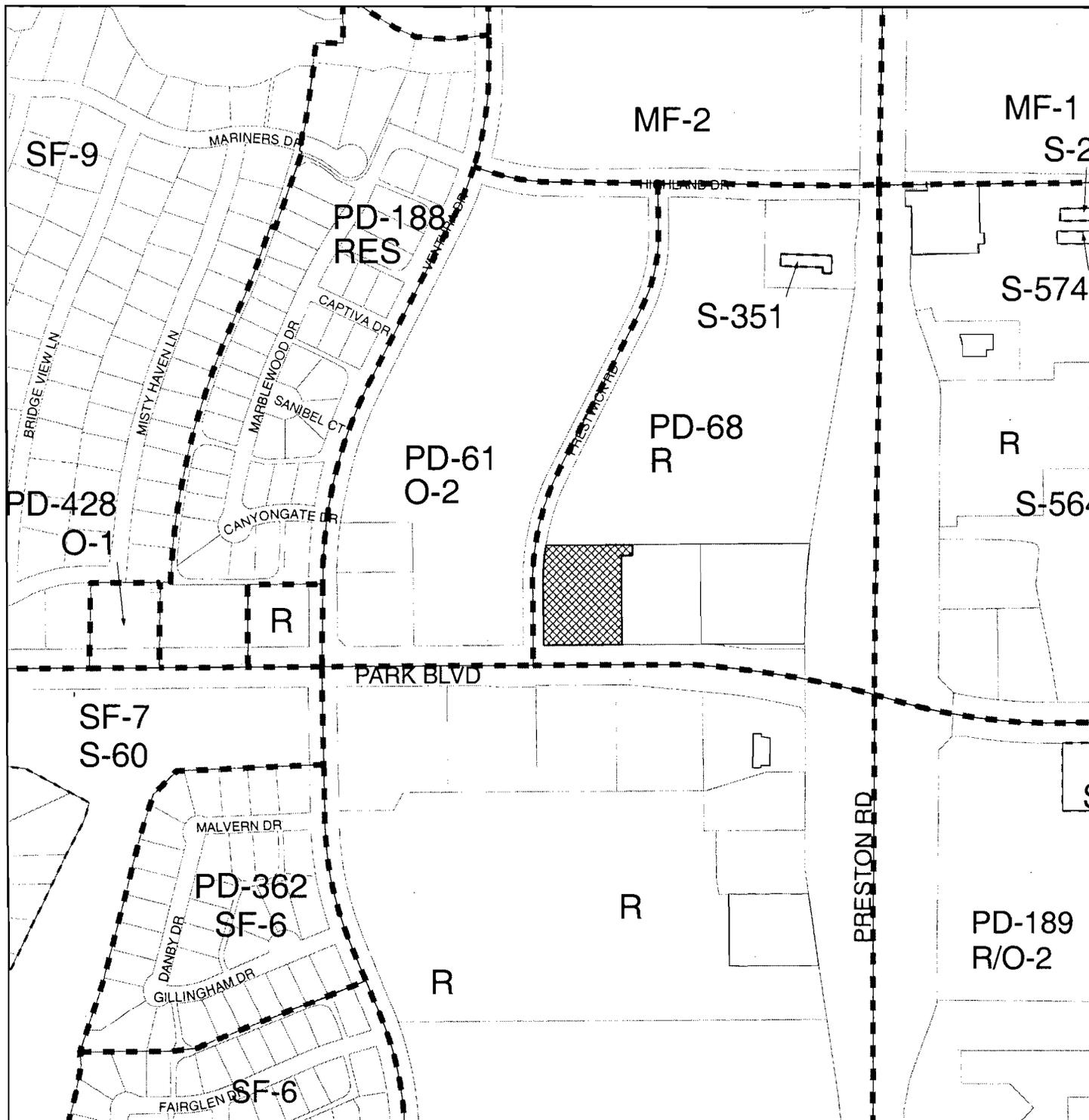
Bank on one lot on 1.6± acres located at the northeast corner of Park Boulevard and Prestwick Road. Zoned Planned Development-68-Retail/Preston Road Overlay District. Neighborhood #42.

REMARKS:

The purpose for this replat is to add and relocate easements necessary to complete the redevelopment of the site from a restaurant to a bank.

RECOMMENDATION:

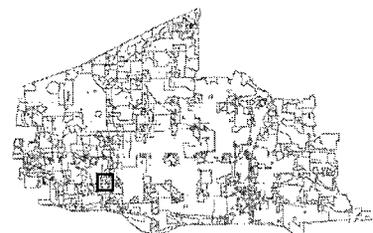
Recommended for approval as submitted.



Item Submitted: REPLAT

Title: WEST PARK PRESTON ADDITION
BLOCK A, LOT 1R

Zoning: PLANNED DEVELOPMENT-68-RETAIL/
PRESTON ROAD OVERLAY DISTRICT



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

July 20, 2009

Agenda Item No. 11

Public Hearing: Estate Development District

Applicant: City of Plano

DESCRIPTION:

Request for discussion and direction regarding potential changes to the Estate Development zoning district and related sections of the Zoning Ordinance and to receive public comment.

REMARKS:

The Planning & Zoning Commission has initiated a review of the Estate Development (ED) zoning district's regulations. The ED zoning district is intended to provide areas for single-family (SF) development in a rural or ranch-like setting or where topography and/or utility capacities limit the use of the land. Provisions are made for limited ranching pursuits as well as those uses necessary and incidental to SF living. Accessory dwelling units are permitted for use by family members.

The first discussion of this item was held at the June 15, 2009 Commission meeting. At that meeting, the Commission requested that a public hearing be scheduled to provide an opportunity for additional input on this matter. Additionally, the Commission requested information regarding the following topics:

1. Feasibility of dividing the ED district into multiple districts;
2. Regulations relating to accessory buildings; and
3. Regulations relating to fencing (i.e. types, dimensions, and location).

A copy of the ED permitted uses and standards is attached for reference, as well as maps of the areas in question. Please note that these maps have been updated since the June 15 meeting to include additional ED zoned properties that were not originally shown on the maps (Map 2 and Map 3).

ISSUES:

The district was formed to support SF development in a rural or ranch-like context. The district regulations focus on the creation of a rural setting where animals and supporting accessory structures are permitted. Recently, these areas have experienced some changes including “tear downs” of homes, new construction, and construction of homes larger than those typical in the district. In some cases, the emphasis has shifted away from the openness of a ranch-like setting and the need to accommodate large animals on the properties. Additionally, several variance requests have been submitted to the Board of Adjustment (BOA) seeking relief from current ED regulations as well as two appeals of the Director of Planning’s interpretation to the Commission, thus causing questions to arise as to whether the existing regulations are still appropriate for the various ED zoned areas throughout the city.

The following information is provided for consideration of whether the ED district should be amended, per the Commission’s request.

Creating Multiple ED District

The ED district applies to multiple areas of the city. These areas are generally consistent when it comes to lot size, setbacks, location of buildings, and other development standards. State law requires that cities maintain uniform regulations for districts, even if they are located in geographically separate areas of the city (Texas Local Government Code 211.005. Districts). Zoning regulations shall be established taking into consideration the character of each district and its suitability for particular uses, protecting the value of buildings, and encourage the most appropriate use of land. From an administrative and enforcement perspective, it is desirable to limit the number of districts (and therefore number of different sets of regulations), especially in cases when those regulations apply to districts with similar purpose/intent.

As part of the 1986 overhaul of the Zoning Ordinance, zoning districts were consolidated where needed in order to provide for more consistent and improved development regulations. In that effort, the Estate Development-1 and Estate Development-2 zoning districts were consolidated into one zoning district, which is today called the ED district.

Recognizing that a uniform zoning district cannot account for every unique circumstance associated with individual properties, provisions are in place to allow variances from the requirements of the Zoning Ordinance to be granted by the BOA if hardship criteria are met.

The existing ED districts are consistent with the Comprehensive Plan recommendation for residential uses. There have not been significant changes to conditions in the vicinity of the property which prevent the reasonable use of the property as currently zoned or that would necessitate the creation of separate districts. Staff supports maintaining one district because we have not found any

distinct differences amongst all of the existing ED zoned areas that would warrant multiple districts.

Accessory Buildings

The district supports SF development in a rural or ranch-like setting. As part of this, the regulations allow for accessory buildings as follows:

- Except for garages, accessory buildings must be located behind the main dwelling in the rear yard.
- Shall be at least 50 feet from any side property line and 25 feet from the rear property line.
- Shall be 100 feet or more from a dwelling on an adjoining property.
- The number of accessory buildings shall be limited to one, except that more than one may be granted by approval of a site plan.
- Must be designed and constructed so that they are in keeping with the general architecture of the development.
- Corrugated metal siding shall not be permitted, but flat metal siding with raised ribs or seams is acceptable.
- Corrugated metal roofing is acceptable.

Accessory dwelling units must also comply with these regulations. Historically, most accessory buildings in the district were barns and other structures intended to support the “limited ranching pursuits” allowed in the area. Distance requirements were put in place to help ensure that these uses would not adversely impact neighboring properties; for example, odors from structures that house animals. Over the past few years, pool cabanas and similar structures for the convenience of people (instead of animals) have become more prevalent. These types of uses and structures may have a lesser impact on surrounding properties, and a smaller building setback would allow greater flexibility for property owners in these districts.

Staff reviewed regulations in other north Texas cities and found that many cities have estate districts similar to Plano's. With regard to accessory buildings, most cities apply the same building setbacks to both the main structure and accessory buildings. However, most of the cities do not allow large animals and therefore are not as concerned with impacts on neighboring properties.

An exception to this is the city of McKinney, which does allow horses in their Residential Estates districts. The regulations distinguish these uses (specifically private stables, corrals, and paddocks) from other accessory uses/structures and require that these uses are at least 150 feet from any dwelling on adjoining property. They do not allow other animals (except domestic pets) in the districts. Should the Commission deem it appropriate, a similar approach could be utilized in the ED district; this would result in an increase in the minimum separation distance between residential dwellings and structures that house animals.

Fencing

Similar to other regulations, fencing standards were created to support the rural and ranch-like character of the district. Fencing is limited to 48 inches in height in the front yard setback. Outside of the front yard setback, fences may be up to eight feet in height (as specified in Subsection 3.1002 of the Zoning Ordinance, General Fence and Wall Regulations). To maintain the open feel of the areas, fencing in the ED district must be at least 50% open (see through) and be horizontal rail or vertical wrought iron with or without masonry columns. Barbed wire fencing is prohibited; however, mesh fencing (2" x 4") on metal posts is allowed behind the property lines. For privacy reasons, fencing for pools is exempt from the openness requirement.

Unlike other residential districts, larger animals are allowed in the ED district, including horses. In particular, Ranch Estates has a strong focus on horses; therefore, to help ensure the safety for riders and their horses additional restrictions regarding fence type for this area were enacted in 2001. This was implemented through Planned Development-173-Estate Development (PD-173-ED) which restricts all fences in Ranch Estates to split-rail.

The Commission inquired about situations where an ED zoned property is adjacent to another SF residential zoned property. SF zoning districts in Plano are subject to different fencing requirements (from Section 3.1000, Screening, Fence, and Wall Regulations). The primary difference is, in the ED, fences must be at least 50% transparent within the entire property; whereas in the SF zoning a solid eight foot fence is allowed behind the required front yard setback. This could create a situation where a SF zoned property adjacent to an ED zoned property erects an eight foot tall solid privacy fence facing the ED zoned property. The ED property owner would not be allowed to erect a similar fence under the existing regulations.

If this is a concern of the Commission, consideration could be given to amending the Zoning Ordinance to allow ED zoned properties, that share a common property line with SF zoned properties, to build fencing in accordance with the standard fencing regulations for SF districts. There are very few properties where this situation exists. Should the Commission not want to amend the fencing provisions for the ED district, the ED owner has the right to plant living screening materials along the fence line for privacy, which would potentially be more consistent with the ranch-like feel of the area.

Photographs are attached of the district illustrating the openness and different fencing types

PUBLIC COMMENT:

Per the Commission's direction at its June 15, 2009, meeting, staff notified all ED property owners that the Commission would be conducting a public hearing at its July 20, 2009, meeting. Letters and emails received in response for the July 20 meeting as well as the prior June 15 meeting are attached.

RECOMMENDATION:

Recommended that the Commission consider whether amendments to the ED district are necessary and call a public hearing if needed.

Should the Commission decide to call a public hearing to amend the ED district, staff requests that direction be given in order to prepare proposed ordinance amendments.

2.802 ED - Estate Development**(1) Purpose**

The ED district is intended to provide areas for single-family development in a rural or ranch-like setting or where topography and/or utility capacities limit the use of the land. Provisions are made for limited ranching pursuits as well as those uses necessary and incidental to single-family living. Accessory dwelling units are permitted for use by family members.

(2) Permitted Uses

See Subsection 2.502, Schedule of Permitted Uses, for a complete listing.

(3) Area, Yard, and Bulk Requirements

Description	Requirement
Minimum Lot Area	43,560 square feet, 85,000 square feet if any large animals are kept
Minimum Lot Width	150 feet
Minimum Lot Depth	250 feet
Minimum Front Yard	50 feet, except as provided in Section 3.500
Minimum Side Yard (Ordinance No. 95-4-30)	15 feet or ten percent of lot width, whichever is greater (See Section 3.600.)
--of Corner Lot	25 feet on street side (See Section 3.600.)
Maximum Side Yard	30 feet
Minimum Rear Yard	Ten feet (See Section 3.700.)
Minimum Floor Area per Dwelling Unit	800 square feet
Maximum Height	Three story provided the third story may not exceed ten percent of the total floor area of the building, 40 feet (See Section 3.800.)
Maximum Coverage	20%, plus ten percent additional coverage permitted for accessory buildings (See Section 3.700.)
Parking Requirements	Two parking spaces per dwelling unit (See Section 3.1100.)

(4) Special District Requirements**(a) Animal Restrictions in the ED District:****(i) Number**

No more than two larger animals, specifically, cattle, horses, sheep, and goats can be maintained per acre of lot area.

(ii) **Type**
Swine and fowl are expressly prohibited. Other types of animals which introduce an unusual disturbance to the community or adjoining property owners shall not be maintained.

(iii) **Breeding**
No large animals other than horses shall be kept for breeding purposes.

(b) Accessory Buildings

(i) Accessory buildings in the ED district, except garages, must be located behind the main dwelling in the rear yard.

(ii) Accessory buildings shall be at least 50 feet from any side property line and 25 feet from the rear property line.

(iii) Accessory buildings must be 100 feet or more from a dwelling on an adjoining property.

(iv) The number of accessory buildings shall be limited to one, except that more than one may be granted by approval of a site plan.

(v) Accessory buildings must be designed and constructed so that they are in keeping with the general architecture of the development.

(vi) Accessory buildings with corrugated metal siding shall not be permitted, but flat metal siding with raised ribs or seams is acceptable. Corrugated metal roofing will be acceptable.

(c) Accessory Dwelling Units

Accessory dwelling units in the ED district shall be allowed as an incidental residential use of a building on the same lot as the main dwelling unit and shall comply with the above requirements for accessory buildings and with the following:

(i) No temporary buildings, mobile homes, or travel trailers may be used for onsite dwelling purposes.

(ii) The accessory dwelling unit must be constructed to the rear of the main dwelling. Each lot must have a minimum of one acre per dwelling unit or accessory dwelling unit constructed upon it. For example, a house with two accessory dwelling units would require a minimum lot size of three acres.

(iii) The accessory dwelling unit shall contain a minimum of 500 square feet of floor area.

(iv) The accessory dwelling unit may be constructed only with approval of a site plan.

(v) The accessory dwelling unit may not be sold separate from sale of the entire property, including the main dwelling unit.

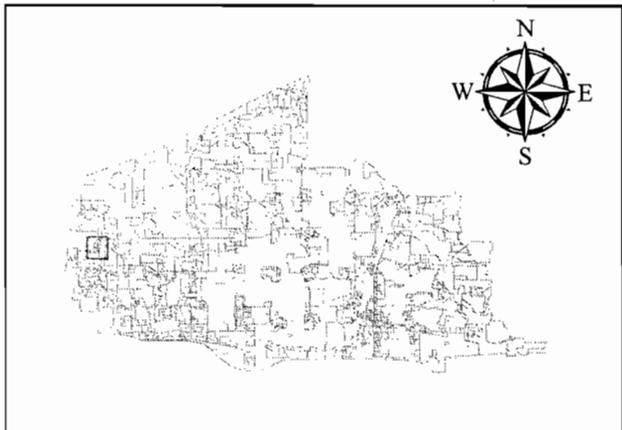
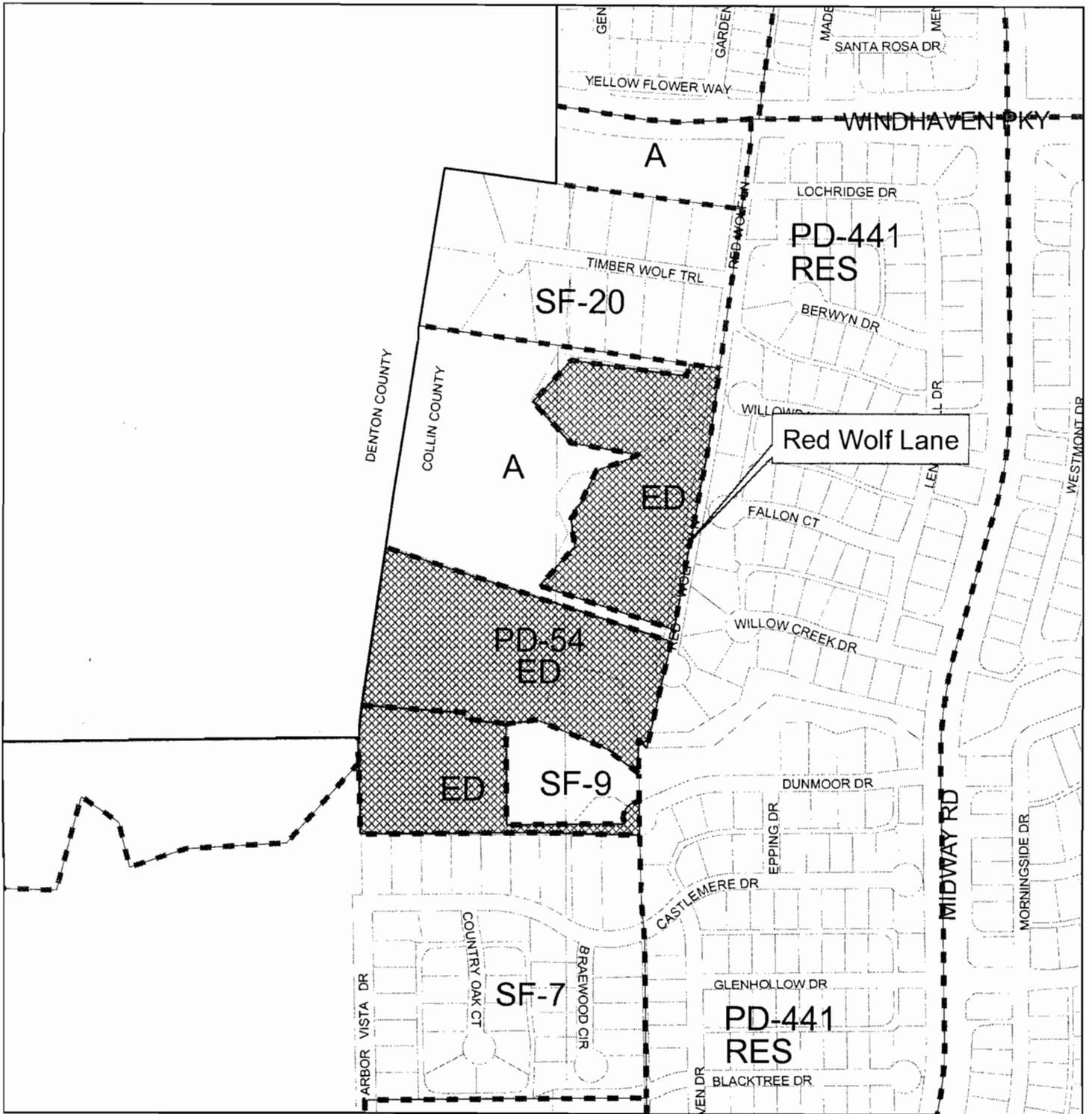
(d) Fences (ZC 2001-21; Ordinance No. 2001-8-26)

All fences within an ED district shall comply with the following standards:

(i) Fences within the front yard setback shall be no more than 48 inches in height. Combinations of berms and fences shall not exceed 48 inches in height.

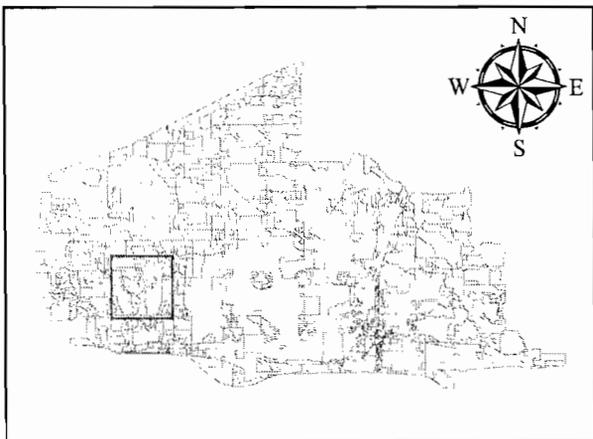
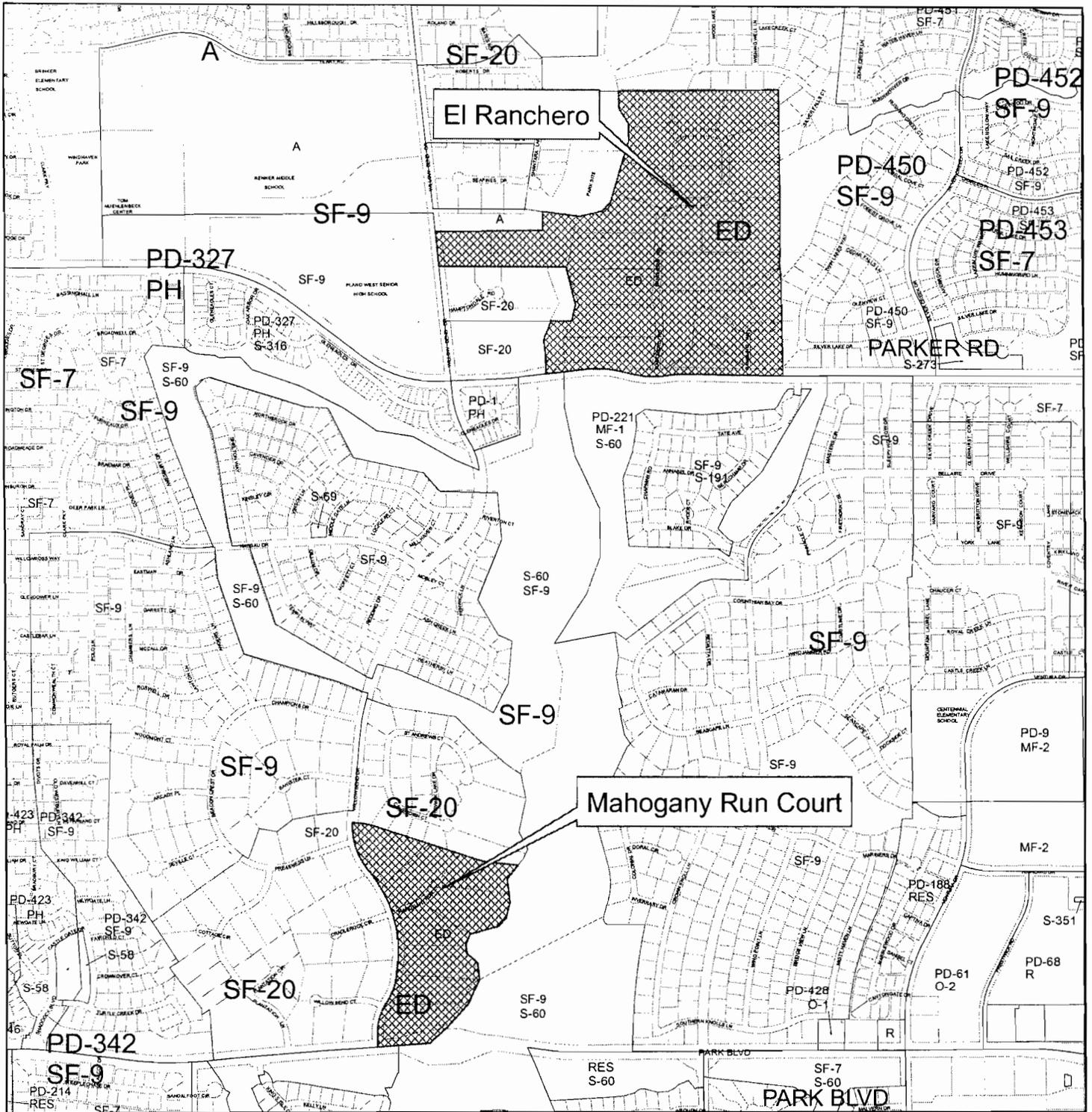
(ii) Fences within the front yard setback shall be horizontal rail or vertical wrought iron with or without masonry columns.

- (iii)** All fencing shall be at least 50% see-through, except that required for enclosing swimming pools.
- (iv)** No farm or rural fencing (such as barbed wire) shall be used. Smooth, non-climbable two-inch by four-inch mesh on metal posts will be acceptable behind the building line.
- (v)** Solid type or stockade fencing or walls shall not be constructed on property lines.



Estate Development District Map 1

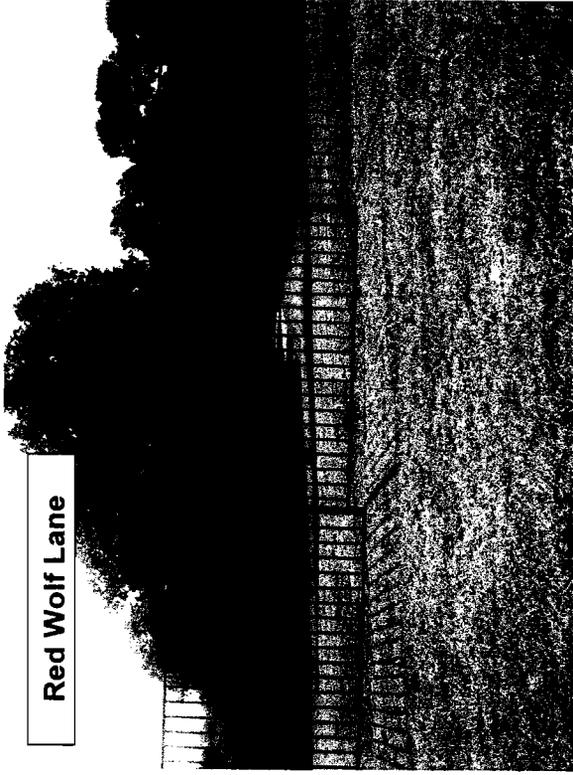




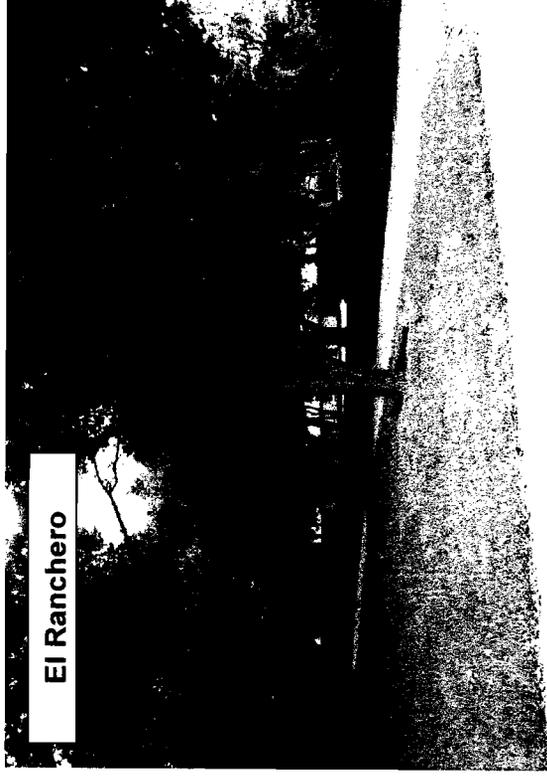
Estate Development District Map 2



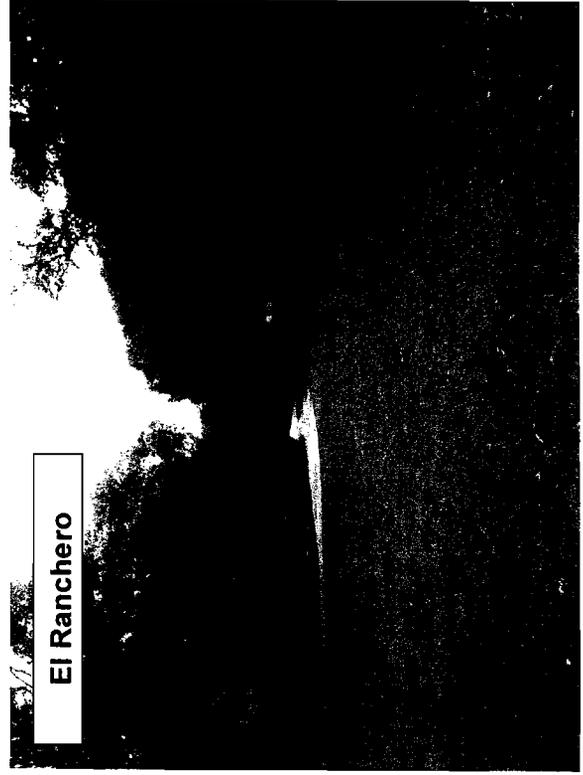
Examples of fencing in the Estate Development district



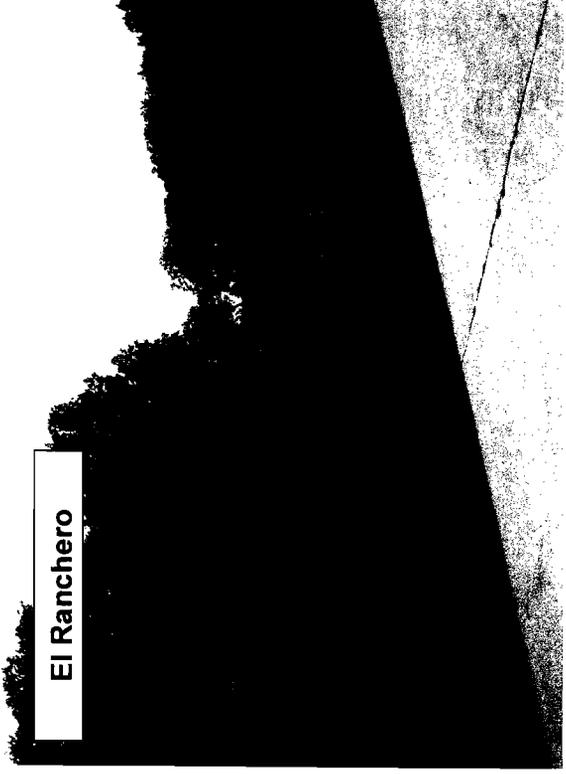
Red Wolf Lane



El Rancho



El Rancho

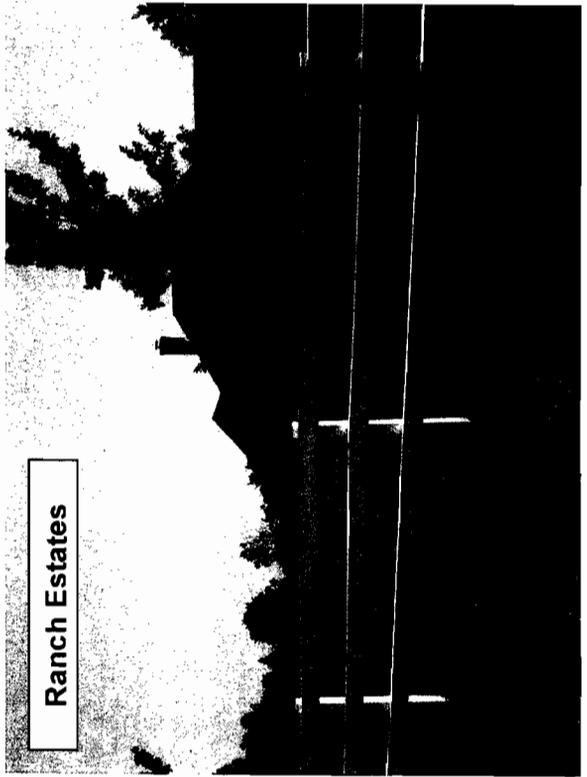


El Rancho

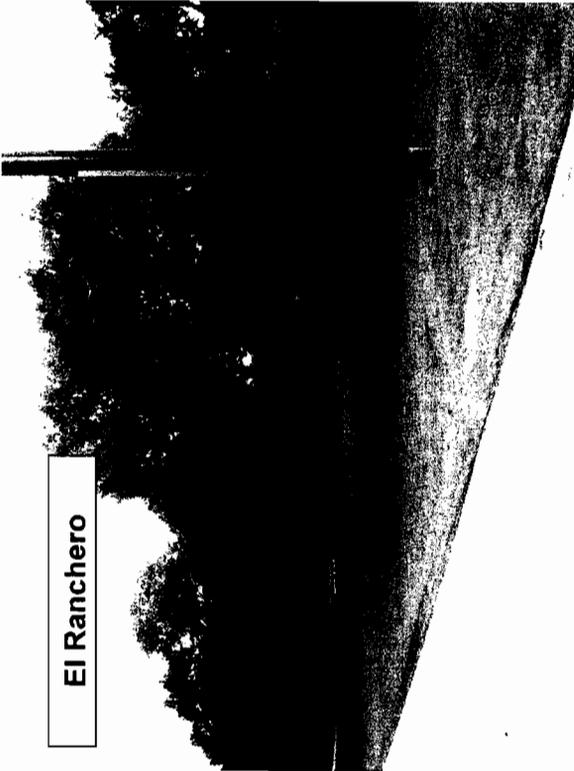
Ranch Estates



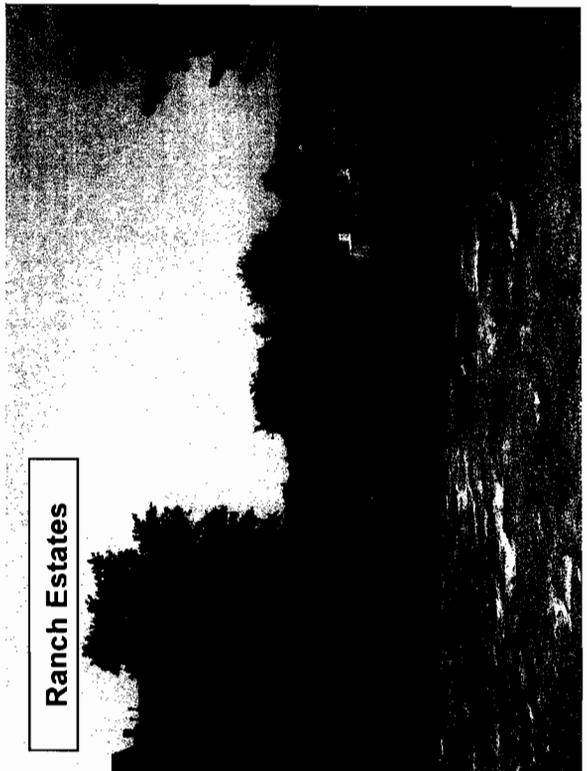
Ranch Estates



El Rancho



Ranch Estates



Ms. Kate Perry
Planning Department
Plano Municipal Center
1520 "K" Ave.
Plano, TX 75074

Dear Ms Perry,

As a home owner in the El Rancho Estates neighborhood, I attended the previous hearing/discussion meeting that addressed the ED2 zoning situation. After hearing some of the points that were presented during the committee discussion I left feeling there were several misguided assumptions being asserted by what I would term a "vocal minority". In particular, as a relatively new comer to the neighborhood when compared to those that have made Rancho their home since the earlier 70's, I was surprised to hear that there is this concern that somehow the current ED2 Zoning guide lines needs to be changed because there are particular regulation elements that somehow are outdated and don't fit the needs of modern development requirements. Had this been in some other community that had seen its better days or that the neighborhood wasn't still attractive to the current housing market then it may be worthy of discussion but in our neighborhood this couldn't be further from reality and our family is a prime example of why the ED2 is acceptable the way it is.

Although we are one of the newer residence of El Rancho Estates having remodeled the existing home at 3640 Rancho and moving in 2003, we have been a resident and stake holder in the West Plano community since moving from Carrollton in 1991. Unlike each of the two previous developments, where the zoning regulations permitted solid fencing and close property line construction, moving to El Rancho Estates, with its wide open spaces and set back building regulations - "WAS" change for us. Any changes could potentially put us back into the same zoning situation we opted to move out of.

In summary, being a long term resident of the community who understands all the wonderful neighborhood options that are available throughout the Plano Community, and as an existing stake holder in El Rancho Estates, I see no reason to continue to utilize our cities stressed resources reviewing this matter. Therefore, I would request the board not move forward with a zoning change process which could potentially negatively affect the existing balance and order of things that have more than served the residents of El Rancho Estates well for over 30 years.

Thank you,

Charles and Elizabeth Daigle
3640 Rancho Rd
Plano, TX 75001
972-403-9992

July 11, 2009

Ms. Kate Perry
Planning and Zoning Commission
Plano Municipal Center
1520 Avenue K
Plano, Texas 75074

Dear Ms. Perry:

My wife and I have been residents of El Rancho Estate District since 1992. Prior to purchasing our property and building our home we had the opportunity to review the regulations regarding this Estate District. We determined that these regulations were designed to protect the value and beauty of the area.

Because these regulations have served our neighborhood very well, I see absolutely no reason for changing the existing regulations that have allowed for continued positive development of the El Rancho Estate District.

For this reason we strongly oppose any change to the current ED regulations.

We suggest that any corporate or individual grievance be resolved as they have in the past, among neighbors.

Sincerely,

Kay and Ken Jarvis
3400 Rambling Way
Plano, Texas 75093-7601

Kate Perry

From: Pat Evans [REDACTED]
Sent: Wednesday, July 15, 2009 7:41 AM
To: Kate Perry
Subject: DON'T CHANGE THE ED ZONING RULES

We have lived on Ranchero for over 30 years, and with our neighbors have enjoyed the wide open spaces and atmosphere protected by the ED zoning in place.

This sudden push to "tweak" the ED zoning seems to be driven by dissatisfaction with two recent Board of Adjustment decisions concerning fencing and accessory building setbacks. It is widely opposed in the neighborhood – most understand that :

- 1) reasonable accommodations have been made in the past by neighborhood agreement and Board of Adjustment rulings and this is a wise course to continue;
- 2) proposed fencing changes would destroy the neighborhood's wonderful open ranchlike atmosphere and potentially transform our unique neighborhood into a walled enclave;
- 3) the proposal for jamming up to three sizable residential accessory buildings against our neighbors' property lines is a recipe for neighborhood discord and invasion of privacy; and
- 4) any diminution of our property rights, such as taking away our right to own horses, as was proposed at the last meeting by the Ranch Estates spokesman, should be off the table.

In short, our ED zoning is most definitely not "broke!" Please do not try to fix it!

Respectfully,

Chuck and Pat Evans:

7/15/2009

Kate Perry

From: Linda Raphael [REDACTED]
Sent: Tuesday, July 14, 2009 7:46 PM
To: Kate Perry
Subject: Proposed changes to ED Zoning

Dear Ms. Perry:

This letter is in regards to the proposed ED Zoning Changes and the upcoming hearing on July 20th. We adamantly oppose any changes to the current Estate Development Zoning regulations. We have been residents on Rancho Road for thirteen years and have enjoyed the open country feel of our neighborhood. It would be a mistake to change the current regulations. Our neighborhood has functioned in harmony under the existing regulations for decades and we see no need to disrupt this harmony with any zoning changes. If you have any questions, please feel free to contact us.

Thank you for your consideration on this matter.

Sincerely,

Linda and Peter Raphael
3420 Rancho Rd.
Plano, TX 75093

(972)473-2081

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7/15/2009

GLEN AND PATRICIA BELLINGER
3605 RANCHERO ROAD
PLANO, TEXAS 75093

972-816-9000

July 14, 2009

VIA EMAIL: katep@plano.gov

Ms. Kate Perry
Planning Department
Plano Municipal Center
1520 K Avenue
Plano, Texas 75074

Dear Ms. Perry:

We bought our lot in El Rancho Estates from Gary and Nancy Gamble almost 17 years ago, and we built our home and have raised 6 kids in our house on that lot. During that time, our kids have enjoyed the wide open spaces which are unique to our neighborhood, and they have experienced a youth which is rare in Dallas and Plano with no privacy fences, a creek, a fishing lake, and generally a true sense of "neighborhood" like the "good old days" of Ward and June Cleaver. In that regard, most of the people in our subdivision have historically been cooperative and generally work together to discuss and solve issues and problems out of mutual need and respect.

We bought our lot and built our home knowing that ED zoning governed our property and with the belief that all of us would play by the same rules and guidelines. Occasionally, exceptions arose and people generally talked to each other and worked it out, and I did that on occasion with my neighbors in the past. Undoubtedly, there will be the need in the future for an occasional variance from the ED zoning regulations and requirements as people continue to build and improve their homes. Those variances should be dealt with individually on a facts and circumstances basis, and the Planning and Zoning Commission and Board of Adjustment should grant or deny those periodic requests based on the prevailing opinions and desires of the people most affected. This process has worked very well for over 30 years, and I still believe that the same process can work in the future which is why I see no reason to change this process or to change the ED zoning for El Rancho Estates.

Government is for the people, and must serve the people but not dictate to them. Since the overwhelming sentiment in El Rancho Estates is to leave the current ED zoning alone for El Rancho Estates, I see no compelling reason or public need for government intervention in this matter.

I am very sympathetic to the people, including Matt Twyman, who back up to Lakeside and are subject to different use and building standards than Lakeside along their common boundary lines with Lakeside. It is patently unfair to hold an El Rancho Estates owner to a more critical or restrictive standard on the El Rancho side of the common boundary line with Lakeside than the standards the Lakeside owners are held to or bound by on their side of the common boundary line. If those El Rancho Estate owners want or need variances from the ED zoning requirements to address issues relating to their common boundaries with Lakeside, then

July 14, 2009
Page 2

they should go through the established variance process and be granted those variances if and as applicable as it pertains only to their common boundary with Lakeside. These same variances should not be considered or approved with respect to common boundaries with other El Rancho Estate homeowners if such variances are objectionable to the other affected El Rancho Estate homeowners.

So, my opinion and hope is that no global modification is granted to the ED zoning classification in Plano at this time if such modification affects El Rancho Estates. If other ED zoned subdivisions in Plano need or want changes to their subdivisions, they should be dealt with separately and El Rancho Estates should be left alone.

Very truly yours,

A handwritten signature in black ink, appearing to read "Glen Bellinger". The signature is written in a cursive, flowing style.

Glen Bellinger

JD Young
3500 Ranchero Road
Plano, TX 75093
972.403.1323

RECEIVED
JUL 13 2009
PLANNING DEPT

July 13, 2009

City of Plano
Planning Department
Attn: Ms. Kate Perry, AICP
PO Box 860358
Plano, TX 75086-0358

Dear Ms. Perry:

I am a homeowner at the above referenced address situated within the Estate District (ED) zoning within the city limits. I would like to add my voice to those **opposed to any changes** in the ED zoning.

I bought this lot in 1997 and have lived in this house since that time. I researched the zoning on this development and bought specifically because my neighbors and I would be bound by the covenants therein.

I have relied on these covenants to maintain the look and feel that James Muns originally incorporated into deed restrictions on his development. When the City annexed El Ranchero Estates, ED was created to address these very restrictions.

I must point out that there is a process in place for variances to the zoning to be granted. The process requires collaboration and cooperation, which prevents individuals from trampling on the rights of others. We are not a fortress community, and don't want to be a collection of houses unseen behind tall masonry walls. Any buyer that purchases a lot on this street can afford to buy in any of the fortress communities nearby. That such a buyer bought poorly and is building conspicuously without regard to ordinances that predate them may have a problem, but the problem is neither mine nor the city's.

I might further observe that any changes here on Ranchero Road may very well require an environmental impact study, due to the proximity of a waterway on a number of the parcels. The movement of several species is dependent on the open spaces that are a direct result of the ordinance's limitations on walls and fences.

Your notification letter notes that you have received "several requests" recently for variances to the ordinance. It turns out that most of the requests have originated with a very small number of recent purchasers. One would think that a curt review of the zoning would be in order prior to spending this much money on land and a home.

The name El Rancho connotes ranches and open land. We do not wish to change that now.

Sincerely,

A handwritten signature in black ink, appearing to be 'JD Young', written in a cursive style.

JD Young

Kate Perry

From: Dick Forsythe [REDACTED]
Sent: Tuesday, July 14, 2009 3:42 PM
To: Kate Perry
Subject: Estate District Zoning

City of Plano
Planning Commission
Attention: Ms. Kate Perry

Re: Estate Zoning Meeting July 20

We have lived at 3425 Ranchero for almost 35 years. We think that our zoning regulations have worked very well for us. We would not like to see them changed to accommodate a few. We plan to be at the meeting Monday evening in support of our neighbors. Richard and Barbara Forsythe

Kate Perry

From: J Broadwel [REDACTED]
Sent: Tuesday, July 14, 2009 11:04 AM
To: Kate Perry
Subject: 7/20 Public Hearing -- potential changes to ED zoning

July 14, 2009

To: Kate Perry and the Planning & Zoning Commission
Re: potential changes to ED zoning

As we were one month ago [see previous letter on this subject below], we remain **strongly opposed to any change to the ED zoning regulations**. Further, we find it curious, if not wasteful, that resident input has been sought a second time when the letters written and input given at the earlier meeting gave very clear direction to the Commission.

Because no one has been able to discover a valid reason for this issue appearing and reappearing, the general consensus unfortunately has become that it was initiated as the private agenda of an individual or individuals.

And so we write again, and we come to City Hall again, curious to see whether the issues driving this request for discussion can be discerned.

After watching the June 15 meeting and discussion, we would point out that one Ranch Estates resident seemed to be suggesting an ED zoning which would separate his East Plano from West Plano, and the gentleman seemed quite comfortable speaking for the 'special needs of El Rancho and West Plano.' Not only was his assessment of our needs basically incorrect, it was pompous and inappropriate for him to presume he could speak for us and contradict what our own residents were saying. We would hope that the Chair will make sure that speakers on this issue confine their comments to the needs and wishes of the neighborhoods in which they reside.

We urge you to set this subject aside once and for all, and move on to issues worthy of your time, staff time and taxpayer dollars.

Sincerely,

Ron and Judy Broadwell
3400 Rancho Road
Plano, TX 75093
972.403.0071

[REDACTED]

Date: Thu, 11 Jun 2009 09:32:12 -0500
To: katep@plano.gov

7/14/2009

From: J Broadwell <[REDACTED]>
Subject: Proposed review of Regulations Pertaining to the Estate District ("ED")

Kate Perry, AICP
Planning Department
Plano Municipal Center
1520 Avenue K
Plano, TX 75074

To: Kate Perry and the Planning & Zoning Commission
Re: Regulations Pertaining to the Estate District ("ED")

We are strongly opposed to any change to the ED regulations. We purchased estate property in Plano in April, 1979, understanding and believing that the ED regulations would protect and preserve its beauty and its value. These regulations have served us well, and subsequent to the development of El Rancho Estates, additional estate neighborhoods, beautiful and valuable, have emerged and taken their place in the diversity of our community. We have relied upon the existing ED regulations [and their enforcement by the City of Plano] for over 30 years, and we are strongly opposed to the review and possible changes you propose;

Sincerely,

Ron and Judy Broadwell
3400 Rancho Road
Plano, TX 75093
972 403 0071

[REDACTED]

RECEIVED

JUL 7 2009

PLANNING DEPT

Christine and David Burns
3545 Ranchero Rd.
Plano, Texas 75093

Ms. Kate Perry
Planning Department
Plano Municipal Center
1520 K Avenue
Plano, Texas 75074

Dear Ms. Perry,

Five years ago we found property on Ranchero Road and decided to build a home. We chose this property because of the open ranch-like atmosphere and park like setting with no fences or walls in front of the homes. This atmosphere is the most desirable feature of this area. Changing the ED zoning restrictions would ruin the ranch-like environment of our unique neighborhood.

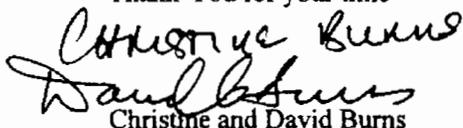
One of our new neighbors states that he adjoins an SF9 zoned area and that if they are allowed certain zoning rights in their area then we should be allowed the same rights. That is a completely invalid and ridiculous argument. Every area is zoned with certain rights and restrictions unique to that area for a reason. Just because the two zones meet each other, does not mean that one should have the rights of the other.

Privacy and security seem to be issues for certain new neighbors. If these new home owners sensed a feeling of "lack of security" and "invasion of privacy" as they were driving Ranchero Road prior to purchase, they should have not bought here. From time to time, issues may arise between adjoining neighbors, and these issues should be addressed on a case-by-case basis. To date, all problems have been addressed by the neighbors and feuds have not been a problem on this street.

We lived in Preston Hollow prior to moving to Ranchero Road and were directors of the homeowners association for 15 years. We had a private off duty police officer in a marked car patrolling our 5 street neighborhood. The officers told us, that a fence, especially a wall, is more of a security risk than an open area. They stated burglars, once behind the wall, had a "private" place to steal, as they desired.

In short, we are very opposed to changing any of the ED zoning restrictions and we would urge the Planning and Zoning Commission to leave the ED zoning unchanged.

Thank-You for your time


Christine and David Burns

Kate Perry

From: judy jones | [REDACTED]
Sent: Monday, July 13, 2009 12:28 PM
To: Kate Perry
Subject: Zoning Change Proposed for Rancho

We are strongly opposed to any change to the ED regulations for Rancho Estates. We are and have been quite happy with the zoning as it has been for 30+ years and do not support changes of ANY kind to the existing ordinance. Dr. Charles E. and Judy Jones 3313 Rancho Plano Texas

7/13/2009

Kate Perry

From: [REDACTED]
Sent: Monday, July 13, 2009 10:16 AM
To: Kate Perry
Subject: Planning and Zoning Meeting July 20th regarding El Rancho Estates ED Zoning

Thomas W. and Donna L. Horner
3525 Rancho Rd.
Plano, Texas 75093
972-403-1237

Ms. Kate Perry
Planning Department
Plano Municipal Center
1520 K Avenue
Plano, Texas 75074

Dear Ms. Perry,

We are writing in regard to the ED zoning restrictions for the El Rancho Estate Division. We purchased our home on Rancho Road almost 20 years ago. We are both from the Dallas area, and were thrilled to find this "country setting" in the middle of Plano to raise our children. We understand that the zoning restrictions for this division were made many years ago, and that the area has changed quite significantly, but to change the ED zoning for our division would be a sad mistake for Plano. If you have not had the opportunity to drive through our two streets, join the hundreds of "gawkers" that take a Sunday drive down our circle, just to "oohh and aahh" at the beautiful homes with the green open acreages full of trees and lush landscaping, highlighted by a gorgeous lake in the center of the division. To change the zoning because a "new" neighbor wants to build a 10 foot rock fence around his 20,000 square foot mansion does not seem fair to those of us who have enjoyed our serene ranch-like setting for so many years. The "new" neighbor should have done his homework and realized before he built on this property, that the fence he wanted is not allowed. We are writing to ask that you would vote to leave our ED zoning as it is originally written. To start tampering with it in any way, would probably open a can of worms, and any future "new" neighbors would once again challenge the Planning and Zoning Commission on some other wanted change. You are obviously in a position where you can't make everyone happy. We are hoping that you will kindly respect the wishes of the majority of the residences of El Rancho Estates; the ones that have been paying the property taxes for many years for the privilege of living on this beautiful, open paradise in the heart of Plano. Thank you for your consideration in this matter.

Sincerely,

Thomas and Donna Horner

Summer concert season is here! [Find your favorite artists on tour at TourTracker.com.](http://www.TourTracker.com)

7/13/2009

Dr. Richard and Marlene Marks
3401 Rambling Way
Plano, Texas 75093
972-403-0083
July 12, 2009

Ms. Kate Perry
Planning Department
Plano Municipal Center
1520 K Avenue
Plano, Texas 75074

Dear Ms. Perry,

We first heard of the El Rancharo neighborhood when I was looking for a place to locate my orthopedic surgery practice after completing my residency in 1979. I spoke to Allen Harris, then administrator of what was Plano General Hospital, who told me he had just attended a party over the previous weekend at the home of another orthopedic surgeon, Dr. Neil Small. He said the neighborhood was incredible – open spaces and acreage. That same day, my wife and I found out there were still lots for sale in El Rancharo, and contacted the developer and neighbor, James Muns.

We were enchanted with the openness of the area, and quickly chose the lot on which we planned to build the home of our dreams. We had acreage, a lake and stream bordering our back yard, and groves of mature trees, some over a century old.

Our lot borders Parker Road, and with permission of the city and grateful blessings of our neighbors, constructed a large berm topped by foliage and a brick wall to block out the noise of an ever busier east-west thoroughfare. Another neighbor helped calculate the decibel level blockage we could anticipate upon completion of this major project. The barrier we constructed blocked views of Parker Road only – never interfering with total visual access, for ourselves and all neighbors, to the acres of land and water we were privileged to share.

As the majority of new neighbors build and continue to improve on their own sites, it continues to be with consideration for each other's views, access to unspoiled acreage, and maintenance of the wide open feel in an otherwise heavily and densely populated suburb.

The current ED zoning has not only encouraged such community spirit in considering building plans, but to a large extent has mandated it. We bought with the ED zoning as a major incentive, built on and improved our property under those same community-first ED zoning guidelines, and are grateful that our neighbors do the same. The current ED zoning restrictions, while possibly considered archaic by some who wish the change the serene status quo, have provided our little enclave peace and serenity since first proposed by the insightful James Muns.

The ability of those of us fortunate enough to reside in El Rancharo – tax paying, productive, community oriented citizens – to enjoy the park-like atmosphere in which we all invested, should not be compromised by changes in the current ED zoning.

Sincerely,
Richard and Marlene Marks

Kate Perry

RECEIVED
JUN 9 2009
PLANNING DEPT.

June 30, 2009
Joan and Allen Ader
3600 Ranchero Road
Plano, Texas 75093
(972) 403-0081

Kate Perry, AICP
Planning Department
Plano Municipal Center
1520 K Avenue
Plano, Texas 75074

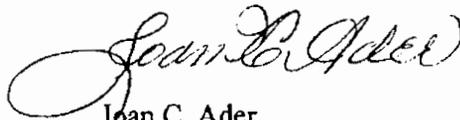
Dear Ms. Perry,

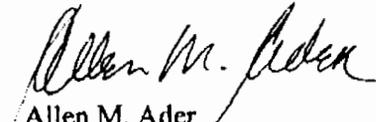
We have received your June 26th letter announcing the Planning and Zoning Commissions review of the ED Zoning Regulations and the Public Hearing to be held on July 20, 2009. We continue to be opposed to **any** changes to the current Estate Development Zoning Ordinance. We explained many of our reasons for our opposition in our June 8th letter, which we have attached as a reference.

We attended the June 15th meeting and did not hear a sound reason that would require the Commission to consider **any** changes to the Ordinance. El Ranchero's residents do not share the comment by one Commissioner that the zoning "needed to be tweaked". The current system and ED Zoning Ordinance has worked extremely well for the 34 years we have lived on Ranchero Road. We want it to remain unchanged.

We will attend the Public Hearing and would like to be added to your email list for updates on this project. Thank you for your time to consider our opinion.

Sincerely,


Joan C. Ader


Allen M. Ader

Attached: Ader's letter dated June 8, 2009

June 8, 2009

Joan and Allen Ader
3600 Ranchero Road
Plano, Texas 75093
(972) 403-0081

Kate Perry, AICP
Planning Department
Plano Municipal Center
1520 K Avenue
Plano, Texas 75074

Dear Ms. Perry,

We have lived on Ranchero Road for almost 34 years ever since James Muns first developed El Ranchero. We were attracted to his sub-division because it offered an open country feel and a place where we could safely raise our family. To protect that natural ambience and the look we all treasure, James had the foresight to write "restrictions" into our property deeds. When we were annexed into the City of Plano, a formal ED Zoning Ordinance was written which in part, continued and preserved James's vision for El Ranchero.

Over the years, the ED Zoning Ordinance that the Planning and Zoning Commission is now reviewing, has served our neighborhood extremely well. Whenever a neighbor wanted to build a building or some other structure that was not in code, they would informally meet with their other neighbors to explain their pressing need and unusual situation that led to their request for a code variance. The intent was to work out a solution that was acceptable to every one and protected the look and feel of El Ranchero. That "neighbor to neighbor approach" has always worked for the entire neighborhoods benefit.

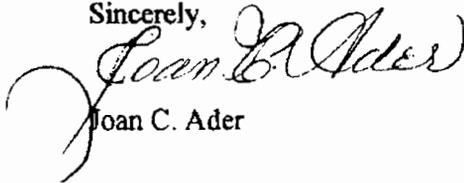
Within the past two years, two "new" neighbors have purchased property in El Ranchero with the intent to tear down an existing home and build a new one. These "new" owners were either unfamiliar with the existing ED Zoning when purchasing the property or hoped they could gain a future variance. During their construction phase, they appealed to the Board of Adjustments for a variance. At one hearing, the "old" neighbors from El Ranchero and Lakeside on Legacy that were most affected by a potential "out of code" structure testified as to why they did not agree with the variance. After hearing from both parties, the Board of Adjustments ruled. A democratic process that is fair to all affected parties. The "new" owners requested variances to build solid masonry walls and fences in excess of eight feet. The "old" neighbors opposed those changes because we firmly believe a modification to the ED Zoning permitting such structures would

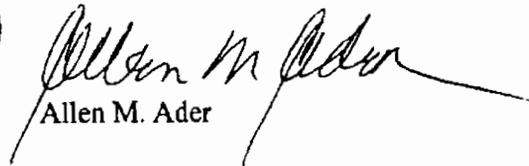
be extremely detrimental to the neighborhood and ruin El Rancho's current look and feel that James Muns created. We don't want "walled fortresses"!

Also, we sincerely request that you do not change the existing ED Zoning Ordinance because the system as it now exists works extremely well. In most cases, neighbors can reach a mutually acceptable solution. Until recently, that is what has happened here in El Rancho. In those rare cases where agreement cannot be reached, a hearing and ruling by the Board of Adjustments is the fairest system to all the neighbors. Any changes made to the current ED Zoning Ordinance or the system could create major problems that do not exist today.

Thank you for your time to consider our opinion. We appreciate it.

Sincerely,


Joan C. Ader


Allen M. Ader

Kate Perry

From: [REDACTED]
Sent: Wednesday, June 10, 2009 4:46 PM
To: Kate Perry
Subject: Don't Change the ED Rules!

Any concern about the land value exceeding the home value in ED zoning is a testament to the success of the current ED requirements, not a problem. To change the ED rules to accommodate new money moving into an existing ED development would undermine the very reasons for the ED success.

Hundreds of families have chosen to locate in Plano ED districts for the spacious open views and country-like environment that ED zoning protects.

Please don't change the rules our families have relied upon to accommodate some few who want walled compounds.

Respectfully,

Chuck & Pat Evans
3333 Rancho Rd
972-403-0144

June 8, 2008
Joan and Allen Ader
3600 Ranchero Road
Plano, Texas 75093
(972) 403-0081

Kate Perry, AICP
Planning Department
Plano Municipal Center
1520 K Avenue
Plano, Texas 75074

Dear Ms. Perry,

We have lived on Ranchero Road for almost 34 years ever since James Muns first developed El Ranchero. We were attracted to his sub-division because it offered an open country feel and a place where we could safely raise our family. To protect that natural ambience and the look we all treasure, James had the foresight to write "restrictions" into our property deeds. When we were annexed into the City of Plano, a formal ED Zoning Ordinance was written which in part, continued and preserved James's vision for El Ranchero.

Over the years, the ED Zoning Ordinance that the Planning and Zoning Commission is now reviewing, has served our neighborhood extremely well. Whenever a neighbor wanted to build a building or some other structure that was not in code, they would informally meet with their other neighbors to explain their pressing need and unusual situation that led to their request for a code variance. The intent was to work out a solution that was acceptable to every one and protected the look and feel of El Ranchero. That "neighbor to neighbor approach" has always worked for the entire neighborhoods benefit.

Within the past two years, two "new" neighbors have purchased property in El Ranchero with the intent to tear down an existing home and build a new one. These "new" owners were either unfamiliar with the existing ED Zoning when purchasing the property or hoped they could gain a future variance. During their construction phase, they appealed to the Board of Adjustments for a variance. At one hearing, the "old" neighbors from El Ranchero and Lakeside on Legacy that were most affected by a potential "out of code" structure testified as to why they did not agree with the variance. After hearing from both parties, the Board of Adjustments ruled. A democratic process that is fair to all affected parties. The "new" owners requested variances to build solid masonry walls and fences in excess of eight feet. The "old" neighbors opposed those changes because we firmly believe a modification to the ED Zoning permitting such structures would

be extremely detrimental to the neighborhood and ruin El Ranchero's current look and feel that James Muns created. We don't want "walled fortresses"!

Also, we sincerely request that you do not change the existing ED Zoning Ordinance because the system as it now exists works extremely well. In most cases, neighbors can reach a mutually acceptable solution. Until recently, that is what has happened here in El Ranchero. In those rare cases where agreement cannot be reached, a hearing and ruling by the Board of Adjustments is the fairest system to all the neighbors. Any changes made to the current ED Zoning Ordinance or the system could create major problems that do not exist today.

Thank you for your time to consider our opinion. We appreciate it.

Sincerely,

Joan C. Ader

Allen M. Ader

June 7, 2009

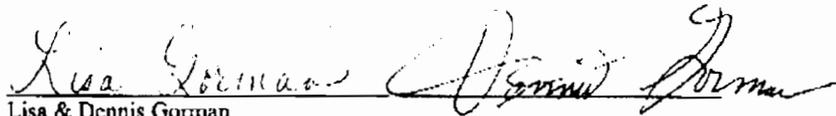
Kate Perry, AICP
Planning Department
Plano Municipal Center
1520 Avenue K
Plano, TX 75074
Fax: 972-461-6878
Email: katep@plano.gov
Phone: 972-941-5249

To: Kate Perry and the Planning & Zoning Commission

Re: Regulations Pertaining to the Estate District ("ED")

I am strongly opposed to changing the ED regulations in any way whatsoever. I purchased my property in Plano relying upon the ED regulations to protect and preserve it. These regulations have served us very well in Plano and developed many beautiful and valuable neighborhoods, including the El Ranchero neighborhood in which we live. We are strongly opposed to changing the ED regulations in any manner and we have strongly relied upon the ED regulations and the enforcement of them by the City of Plano ever since we purchased our home.

Sincerely,



Lisa & Dennis Gorman
3540 Ranchero Road
Plano, TX 75093
Purchased August 1996

RECEIVED

JUN 09 2009

PLANNING DEPT

David G. Burns and Christine Burns
3545 Ranchero Rd.
Plano, Texas 75093
972-473-2429

June 8, 2009

Kate Perry, AICP
Planning Department
Plano Municipal Center
1520 Avenue K
Plano, TX 75074

Re: Regulations Pertaining to the Estate District Zoning ("ED")

Dear Ms. Perry:

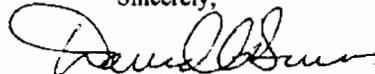
After living in the north Dallas area for the better part of 20 years, my wife, Christine, discovered the subdivision known as El Ranchero Estates here in Plano. We were looking for more of the open country type atmosphere without getting to far from the city. We purchased our property in El Ranchero and built our home 5 years ago relying upon the ED Zoning Ordinance which is currently in place. The ED Zoning Ordinance was put into place many years ago to help protect homeowners and the City of Plano and in our particular situation, preserve the creation of the original developer of El Ranchero.

It appears to us that over the years the regulations currently in place, particularly those that pertain to El Ranchero, have served the City of Plano very well. There are so many beautiful neighborhoods in Plano. When we tell people where we live and in particular, El Ranchero, we often here the words "amazing lot", "beautiful neighborhood" and "how did you find this place". We believe the current regulations in place and the procedures requesting any variances thereto allow property owners and the City of Plano the means to work together to preserve the integrity of the ED Zoning Ordinance. The current system is working.

We therefore would oppose changing or modifying in any way the ED Zoning Ordinance.

Thank you for your time and consideration.

Sincerely,



David G. Burns



Christine Burns

JD Young
3500 Ranchero Road
Plano, TX 75093
972.403.1323

RECEIVED
JUN 11 2009
PLANNING DEPT

June 9, 2009

City of Plano
Planning Department
Attn: Ms. Kate Perry, AICP
PO Box 860358
Plano, TX 75086-0358

Dear Ms. Perry:

I am a homeowner at the above referenced address situated within the Estate District (ED) zoning within the city limits. I would like to add my voice to those opposed to any changes in the ED zoning.

I bought this lot in 1997 and have lived in this house since that time. I researched the zoning on this development and bought specifically because my neighbors and I would be bound by the covenants therein.

I have relied on these covenants to maintain the look and feel that James Muns originally incorporated into deed restrictions on his development. When the City annexed El Ranchero Estates, ED was created to address these very restrictions.

I must point out that there is a process in place for variances to the zoning to be granted. The process requires collaboration and cooperation, which prevents individuals from trampling on the rights of others. We are not a fortress community, and don't want to be a collection of houses unseen behind tall masonry walls. Any buyer that purchases a lot on this street can afford to buy in any of the fortress communities nearby. That such a buyer bought poorly and is building conspicuously without regard to ordinances that predate them may have a problem, but the problem is neither mine nor the city's.

I might further observe that any changes here on Ranchero Road may very well require an environmental impact study, due to the proximity of a waterway on a number of the parcels. The movement of several species is dependent on the open spaces that are a direct result of the ordinance's limitations on walls and fences.

Your notification letter notes that you have received "several requests" recently for variances to the ordinance. It turns out that most of the requests have originated with a very small number of recent purchasers. One would think that a curt review of the zoning would be in order prior to spending this much money on land and a home.

The name El Rancho connotes ranches and open land. We do not wish to change that now.

Sincerely,

A handwritten signature in black ink, appearing to be the initials 'JD' with a stylized flourish underneath.

JD Young

Kate Perry

From: J Broadwell [REDACTED]
Sent: Thursday, June 11, 2009 9:32 AM
To: Kate Perry
Subject: Proposed review of Regulations Pertaining to the Estate District ("ED")

June 11, 2009

Kate Perry, AICP
Planning Department
Plano Municipal Center
1520 Avenue K
Plano, TX 75074
Fax: 972-461-6878
Email: katep@plano.gov
Phone: 972-941-5249

To: Kate Perry and the Planning & Zoning Commission
Re: Regulations Pertaining to the Estate District ("ED")

We are strongly opposed to any change to the ED regulations. We purchased estate property in Plano in April, 1979, understanding and believing that the ED regulations would protect and preserve its beauty and its value. These regulations have served us well, and subsequent to the development of El Ranchero Estates, additional estate neighborhoods, beautiful and valuable, have emerged and taken their place in the diversity of our community. We have relied upon the existing ED regulations [and their enforcement by the City of Plano] for over 30 years, and we are strongly opposed to the review and possible changes you propose;

Sincerely,

Ron and Judy Broadwell
3400 Ranchero Road
Plano, TX 75093
972.403.0071

[REDACTED]

6/11/2009

Kate Perry

From: Chris Price [REDACTED]
Sent: Friday, June 12, 2009 11:36 AM
To: Kate Perry
Subject: Review of Estate District Zoning

Ms Perry:

I live at 5224 Runnin River in Lakeside Estates. My back yard backs up directly to the new home that is currently under construction. When the variance was requested for a solid masonry fence was first requested I polled the 9 homeowners in Lakeside that, like myself, back up to Mr. Twaymans estate lot. I received signatures from each of the homeowners I talked with. The letter and signatures opposing a solid wall were presented and turned in at the P & Z hearing.

I, like my neighbors, purchased my lot and paid a premium for it receiving in return an un-obstructed, open view from my back yard. This zoning requirement was in place when I and my other neighbors purchased their homes. It is an ordinance that preserves and protects the environment in which we purchased our homes and is valued by all but a very few new homeowners. Please here the voice of the majority, not the minority with the time and money to pursue this.

Chris Price
2591 East Pioneer Drive
Irving, Texas 75061
Office 972-554-8111 x 302
Cell 214-287-5865
Fax 972-554-8222

[REDACTED]

6/12/2009

Re: Estate Development Work Session

As the Planning and Zoning commission begins to review the Estate Development Zoning District I wanted to provide my feedback as it relates to a few items.

My property borders, on two sides, a Single Family 9 zoning district. As result I have been negatively impacted in the following ways:

- 1) The property owners in SF-9 are permitted to construct privacy fencing along the property lines that we share however, the current ED ordinance prohibits ED property owners from constructing fencing that is not at least 50% see-through. I believe the stated purpose of the ED zoning to a "provide rural or ranch like setting" is diminished as a result of the proximity and density of dwelling units in the adjacent SF-9 zoning district. Therefore, the ability to erect solid privacy fencing along the property lines that are shared between SF-9 and ED should be extended to either property owner.
- 2) The current setback requirement for accessory buildings to be located 100 feet or more from dwelling units on adjacent properties is unreasonably restrictive for the ED property owner as a result of the proximity and density of dwelling units in the adjacent SF-9 zoning district. Accordingly, at a minimum, this provision should be modified to reflect reasonable setback provision between adjacent but different zoning districts.

Lastly, with an eye towards the future, I question the long term suitability of the current ED ordinances which require all fencing to be at least 50% see-through. Since November 2008, three different ED property owners have placed items before the Board of Adjustment in order to seek a variance to the 50% see-through provision. Additionally, at least three property owners in ED have constructed fencing which is not compliant with the 50% see-through requirement. This issue is real and pervasive. As the value of the land in the Estate Development districts continues to rise and in many case the land value far exceeds the value of the improvements, it would seem reasonable to conclude that new construction will shape the future of the ED districts. Privacy and security will in all likelihood be on the mind of ED property owners as investments in the improvements of these properties continue. I believe that the consideration of solid fencing along the portion of the property lines which are behind the leading edge of the dwelling units ("the backyard") would serve the future needs of the ED districts and its property owners. I also believe that in order to ensure that the "Estate" portion of Estate Development is honored; building standards for fencing, accessory buildings and even dwelling units should be limited to premium materials. For example, cedar fencing should not be allowed and all Accessory Buildings should be of masonry or stucco construction. Many of the provisions of the Estate Development Zoning District are outdated. Phrases such as "where topography and/or utility capacities limit the use of the land" are non-applicable. Provisions for livestock seem ridiculous...horses are somewhat understandable, but cattle, sheep and goats would not benefit the community. Plano has grown up around ED. The Estate Development Zoning District must be updated to address the reality of today while striving to honor its heritage and history.

Respectfully,

Matthew G Twyman
3620 Ranchero Road

From: John Rieff [REDACTED]
Sent: Saturday, June 13, 2009 8:25 PM
To: Kate Perry
Subject: Regarding ED Changes

I would recommend NO changes to the ED regulations. These districts within Plano are unique and contribute to the unique character of Plano. When we purchased our property in the Stoney Hollow / Ranch Estates area, we were searching for a location that would give us a country feel without moving miles away from the urban conveniences. I do not see how the current regulations restrict from people using and enjoying their properties and area. I know the fence issue has been a hot topic in my area in the past. I am not a horse person, but I enjoy watching people enjoy their animals in the area. The problem I see is one of maintenance. As the properties age, sometimes maintenance is not what people expect. But, that is another issue that is not within the intent of the ED regulations.

Again, I do not see a reason to change the regulations.

Property purchase: 2002
Completed construction: 2003

John Rieff

Personal E-Mail: j.rieff@tx_rr.com

><(((°>.....><(((°>
.....><(((°>.....><(((°>

Only Dead Fish Swim Downstream

From: Roy [REDACTED]
Sent: Friday, June 12, 2009 4:57 PM
To: Kate Perry
Cc: 'Staci Witten'
Subject: ED Zoning Changes

We have lived in the Ranch Estates subdivision for over 12 years and while we are certainly not the senior landowners in this subdivision, we have been here long enough to see some major changes in the area. The ED ordinance has served the area quite well (when enforced) to keep the open, horse-friendly neighborhood intact. With the exception of some illegal wrought iron fences, a horse enthusiast can confidently ride down the street without the risk of being impaled if they should fall from their mount.

We accessed the provisions made available to homeowners to take variances to the board of adjustment and, at the time, found them to be very fair, not because our variance was granted, but because they took the overall feel and purpose of the neighborhood into account. The system works. The ordinance works. We are vehemently opposed to any changes in the ordinance except possibly a section to deal with new "green" technology. When the subdivision was built, no one could have imagined that we would need to provide for these technologies.

Along with solar and rainwater capture, the main change to the ordinance would need to be wind. In this area of the country, you must go at least 60 feet into the air to capture cost-effective wind. Right now, the 33 foot limitation on these types of structures will not even get a wind turbine above most trees. We respectfully request that a discussion be opened at the meeting on June 15th or a separate discussion to determine how to best blend ED districts with the Plano "green" agenda. Given that ED districts have adequate fall zones and better spacing than typical developments, the ED districts are the perfect area to show that Plano is really going "green".

We appreciate your consideration of these matters and we will do our best to attend the meeting on Monday.

Thanks,
Roy Witten
3817 Ranch Estates
Plano, TX 75074
(972) 422-1518
[REDACTED]

Kate Perry

From: Erin Gordo [REDACTED]
Sent: Thursday, July 16, 2009 11:55 AM
To: Kate Perry
Cc: Erin Gordon
Subject: review of ED

July 16, 2009

Hello Ms. Perry,

We are residents of El Rancho Country Estates living on Rambling Way at 3409. We've been in our home for 7 years and love it.

The reason we write is to support the current status of the zoning regulations for our 2 streets. We purposely chose to live in this kind of development. We want to live in a country like setting as originally designed. The wide open feel, rolling hills, creeks, a lake and mature trees, make these 2 streets unique. To maintain the country feel in our subdivision, an adherence and respect for the current regulations must be maintained despite personal desires.

It is a privilege and an honor to live in this area and with that comes responsibility and flexibility. To change the laws would remove the checks and balances in place to help families make good choices. Rambling Way and Rancho are unique and charming. We'd like to keep them this way.

Please consider our views as this topic comes before the committee. See you on Monday, July 20th.

Thank you,

Erin & Bruce Gordon

7/16/2009

Kate Perry

From: Marilyn Skaf [REDACTED]
Sent: Thursday, July 16, 2009 12:41 PM
To: Kate Perry
Subject: Opposed to Estate District Zoning (ED)

Dear Ms. Perry,

We are residents of Lakeside on Preston, and our property is adjacent to Rancho Estates.

I am writing to voice my and my husband's opinion that we are against the proposition to rezone Rancho Estates, so that it's residences may build structures at their property lines and tall stone fences to encompass their lots. This would obstruct the scenic, wooded view, in which was a primary reason that we chose to purchase our property. We appreciate the open feel to our lot, and if there were tall structures built, near our property line, it would diminish the value we place on our property.

Thank you for your time.

Marilyn and Rashid Skaf
5232 Runnin River Drive
Plano, TX 75093
972-378-0041

7/16/2009
