

PLANNING & ZONING COMMISSION

PLANO MUNICIPAL CENTER

1520 K AVENUE

December 21, 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 November 18, 2009, City Council/Planning & Zoning Commission Retreat and the December 7, 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 Conveyance Plat: Collinwood Farm Addition, Block A, Lot 1 - EH Conveyance lot on 80.4± acres located at the southeast corner of Windhaven Parkway and Willow Bend Drive. Zoned Single-Family Residence-6, Single-Family Residence-9, Planned Development-450-Single-Family Residence-9, and Single-Family Residence-20. Neighborhood #30. Applicant: City of Plano</p>	

<p>5b EH</p>	<p>Preliminary Site Plan & Concept Plan: Tinseltown Addition, Block A, Lots 5 & 6 - Restaurant and general office on two lots on 7.2± acres located on the east side of Dallas North Tollway, 800± feet south of Windhaven Parkway. Zoned Regional Employment/Dallas North Tollway Overlay District. Neighborhood #30. Applicant: Haggard Property Group, Ltd.</p>	
<p>5c EH</p>	<p>Revised Conveyance Plat: Tinseltown Addition, Block A, Lots 5 & 6 - Two conveyance lots on 7.2± acres located on the east side of Dallas North Tollway, 800± feet south of Windhaven Parkway. Zoned Regional Employment/Dallas North Tollway Overlay District. Neighborhood #30. Applicant: Haggard Property Group, Ltd.</p>	
<p>5d KP</p>	<p>Revised Site Plan: West Plano Retail Center, Block 1, Lot 1 - Retail on one lot on 15.7± acres located on the west side of Dallas North Tollway, 915± feet south of Park Boulevard. Zoned Regional Commercial and Planned Development-220-Regional Commercial/Dallas North Tollway Overlay District. Neighborhood #52. Applicant: Costco Wholesale Corporation</p>	
<p><u>END OF CONSENT AGENDA</u></p>		
<p><u>PUBLIC HEARINGS</u></p>		
<p>6 EH</p>	<p>Public Hearing: Zoning Case 2009-21 - Request to rezone 9.3± acres located at the southeast corner of Spring Creek Parkway and Communications Parkway from Agricultural to Regional Employment. Applicant: Rutledge Haggard</p>	
<p>7A EH</p>	<p>Public Hearing: Zoning Case 2009-22 - Request for a Specific Use Permit for Long-term Care Facility on 6.1± acres located on the east side of Communications Parkway, 290± feet south of Spring Creek Parkway. Zoned Agricultural. Applicant: Acres of Sunshine, Ltd.</p>	
<p>7B EH</p>	<p>Preliminary Site Plan: Haggard Stonegate Addition, Block A, Lots 1 & 2 - Long-term care facility and medical office on two lots on 9.3± acres located at the southeast corner of Spring Creek Parkway and Communications Parkway. Zoned Agricultural. Neighborhood #26. Applicant: Acres of Sunshine, Ltd.</p>	
<p><u>END OF PUBLIC HEARINGS</u></p>		
<p>8 SM</p>	<p>Discussion & Direction: Digital Billboards - Discussion and direction to consider amendments to the Zoning Ordinance regarding signage for the purpose of creating a billboard signage reduction program and to allow for the conversion of billboards to include electronic copy. Applicant: City of Plano</p>	

9

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

December 21, 2009

Agenda Item No. 5a
Conveyance Plat: Collinwood Farm Addition, Block A, Lot 1
Applicant: City of Plano

Conveyance lot on 80.4± acres located at the southeast corner of Windhaven Parkway and Willow Bend Drive. Zoned Single-Family Residence-6, Single-Family Residence-9, Planned Development-450-Single-Family Residence-9, and Single-Family Residence-20. Neighborhood #30.

The purpose of this conveyance plat is to establish the boundaries of Lot 1 and dedicate right-of-way for Windhaven Parkway.

Recommended for approval as submitted.

Agenda Item No. 5b
Preliminary Site Plan & Concept Plan: Tinseltown Addition, Block A, Lots 5 & 6
Applicant: Haggard Property Group, Ltd.

Restaurant and general office on two lots on 7.2± acres located on the east side of Dallas North Tollway, 800± feet south of Windhaven Parkway. Zoned Regional Employment/Dallas North Tollway Overlay District. Neighborhood #30.

The purpose of the preliminary site plan is to show the proposed restaurant development on Lot 5.

The purpose of the concept plan is to show a future office development on Lot 6.

Recommended for approval as submitted.

Agenda Item No. 5c
Revised Conveyance Plat: Tinseltown Addition, Block A, Lots 5 & 6
Applicant: Haggard Property Group, Ltd.

Two conveyance lots on 7.2± acres located on the east side of Dallas North Tollway, 800± feet south of Windhaven Parkway. Zoned Regional Employment/Dallas North Tollway Overlay District. Neighborhood #30.

The purpose of the revised conveyance plat is to subdivide existing Lot 5 into two lots.

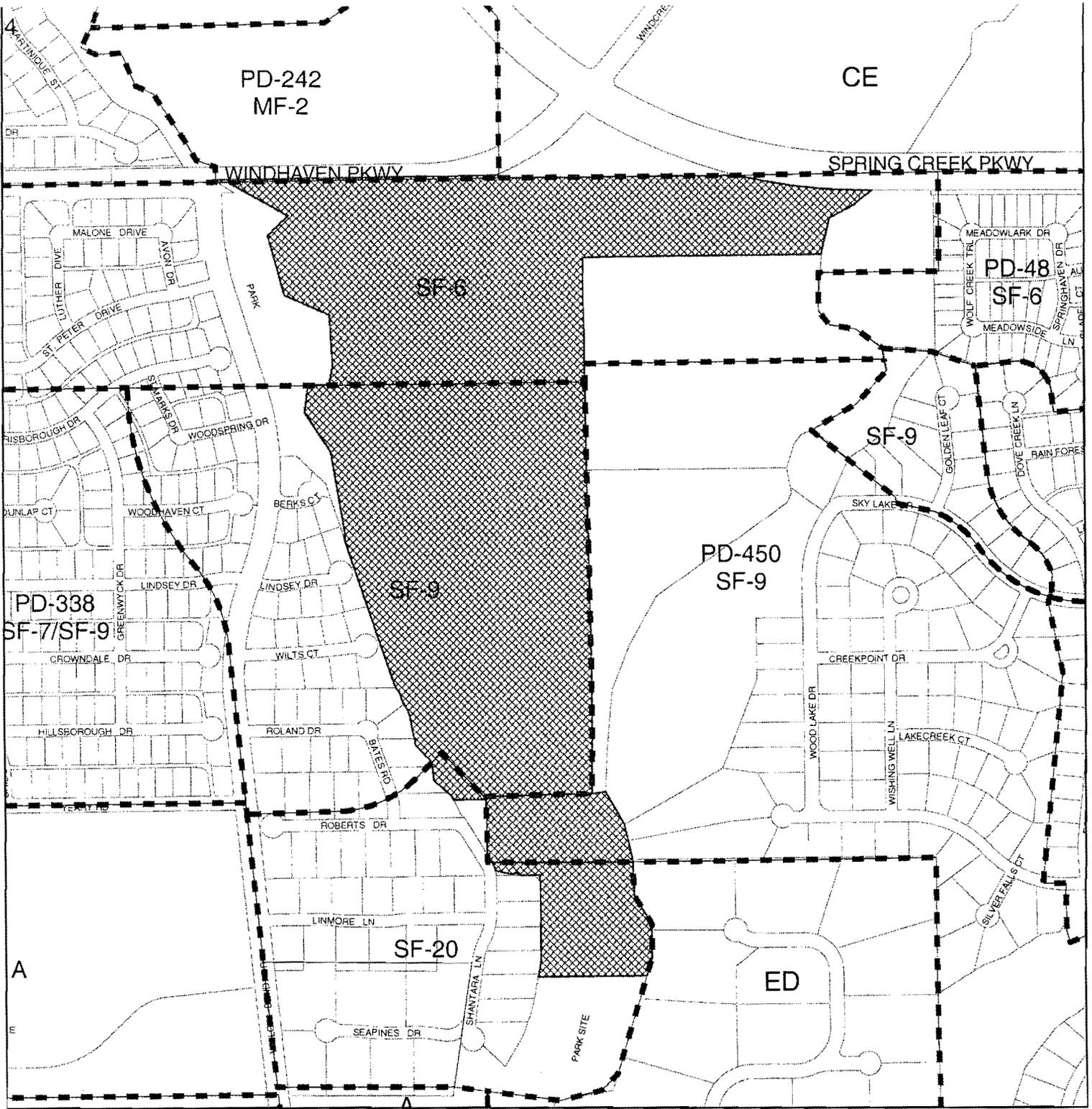
Recommended for approval as submitted.

Agenda Item No. 5d
Revised Site Plan: West Plano Retail Center, Block 1, Lot 1
Applicant: Costco Wholesale Corporation

Retail on one lot on 15.7± acres located on the west side of Dallas North Tollway, 915± feet south of Park Boulevard. Zoned Regional Commercial and Planned Development-220-Regional Commercial/Dallas North Tollway Overlay District. Neighborhood #52.

The purpose for the revised site plan is to show the proposed chiller and removal of eight parking spaces near the northwest corner of the building.

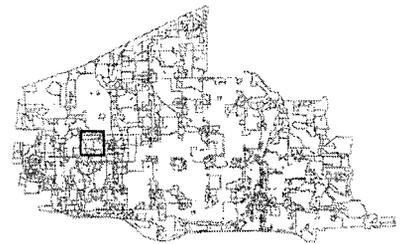
Recommended for approval as submitted.



Item Submitted: CONVEYANCE PLAT

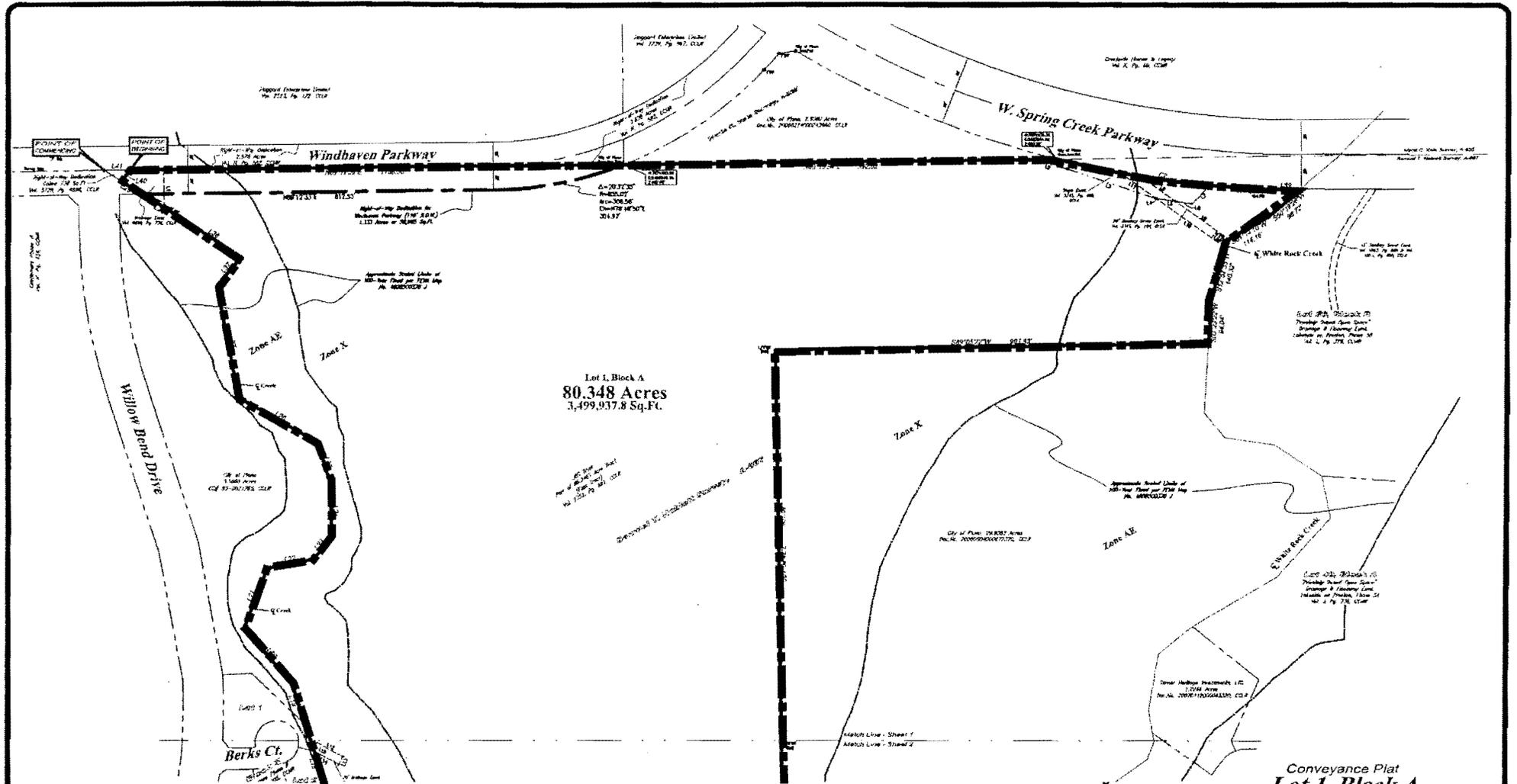
Title: COLLINWOOD FARM ADDITION
BLOCK A, LOT 1

Zoning: SINGLE-FAMILY RESIDENCE-6,
SINGLE-FAMILY RESIDENCE-9,
PLANNED DEVELOPMENT-450-SINGLE-FAMILY RESIDENCE-9,
& SINGLE-FAMILY FESIDENCE-20

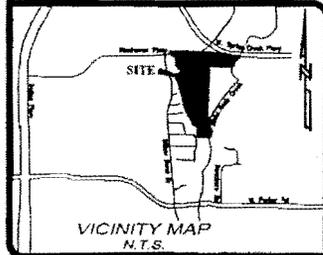


○ 200' Notification Buffer





Lot 1, Block A
80.348 Acres
 3,499,937.8 Sq. Ft.

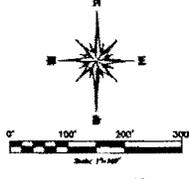


Easement Line Data

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S 89° 11' 11" W	89.81	L2	S 89° 11' 11" W	13.20	L3	S 89° 11' 11" W	13.20
L4	S 89° 11' 11" W	89.81	L5	S 89° 11' 11" W	13.20	L6	S 89° 11' 11" W	13.20
L7	S 89° 11' 11" W	89.81	L8	S 89° 11' 11" W	13.20	L9	S 89° 11' 11" W	13.20
L10	S 89° 11' 11" W	89.81	L11	S 89° 11' 11" W	13.20	L12	S 89° 11' 11" W	13.20
L13	S 89° 11' 11" W	89.81	L14	S 89° 11' 11" W	13.20	L15	S 89° 11' 11" W	13.20
L16	S 89° 11' 11" W	89.81	L17	S 89° 11' 11" W	13.20	L18	S 89° 11' 11" W	13.20
L19	S 89° 11' 11" W	89.81	L20	S 89° 11' 11" W	13.20	L21	S 89° 11' 11" W	13.20
L22	S 89° 11' 11" W	89.81	L23	S 89° 11' 11" W	13.20	L24	S 89° 11' 11" W	13.20
L25	S 89° 11' 11" W	89.81	L26	S 89° 11' 11" W	13.20	L27	S 89° 11' 11" W	13.20
L28	S 89° 11' 11" W	89.81	L29	S 89° 11' 11" W	13.20	L30	S 89° 11' 11" W	13.20
L31	S 89° 11' 11" W	89.81	L32	S 89° 11' 11" W	13.20	L33	S 89° 11' 11" W	13.20
L34	S 89° 11' 11" W	89.81	L35	S 89° 11' 11" W	13.20	L36	S 89° 11' 11" W	13.20
L37	S 89° 11' 11" W	89.81	L38	S 89° 11' 11" W	13.20	L39	S 89° 11' 11" W	13.20
L40	S 89° 11' 11" W	89.81	L41	S 89° 11' 11" W	13.20	L42	S 89° 11' 11" W	13.20
L43	S 89° 11' 11" W	89.81	L44	S 89° 11' 11" W	13.20	L45	S 89° 11' 11" W	13.20
L46	S 89° 11' 11" W	89.81	L47	S 89° 11' 11" W	13.20	L48	S 89° 11' 11" W	13.20
L49	S 89° 11' 11" W	89.81	L50	S 89° 11' 11" W	13.20	L51	S 89° 11' 11" W	13.20
L52	S 89° 11' 11" W	89.81	L53	S 89° 11' 11" W	13.20	L54	S 89° 11' 11" W	13.20
L55	S 89° 11' 11" W	89.81	L56	S 89° 11' 11" W	13.20	L57	S 89° 11' 11" W	13.20
L58	S 89° 11' 11" W	89.81	L59	S 89° 11' 11" W	13.20	L60	S 89° 11' 11" W	13.20
L61	S 89° 11' 11" W	89.81	L62	S 89° 11' 11" W	13.20	L63	S 89° 11' 11" W	13.20
L64	S 89° 11' 11" W	89.81	L65	S 89° 11' 11" W	13.20	L66	S 89° 11' 11" W	13.20
L67	S 89° 11' 11" W	89.81	L68	S 89° 11' 11" W	13.20	L69	S 89° 11' 11" W	13.20
L70	S 89° 11' 11" W	89.81	L71	S 89° 11' 11" W	13.20	L72	S 89° 11' 11" W	13.20
L73	S 89° 11' 11" W	89.81	L74	S 89° 11' 11" W	13.20	L75	S 89° 11' 11" W	13.20
L76	S 89° 11' 11" W	89.81	L77	S 89° 11' 11" W	13.20	L78	S 89° 11' 11" W	13.20
L79	S 89° 11' 11" W	89.81	L80	S 89° 11' 11" W	13.20	L81	S 89° 11' 11" W	13.20
L82	S 89° 11' 11" W	89.81	L83	S 89° 11' 11" W	13.20	L84	S 89° 11' 11" W	13.20
L85	S 89° 11' 11" W	89.81	L86	S 89° 11' 11" W	13.20	L87	S 89° 11' 11" W	13.20
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L91	S 89° 11' 11" W	89.81	L92	S 89° 11' 11" W	13.20	L93	S 89° 11' 11" W	13.20
L94	S 89° 11' 11" W	89.81	L95	S 89° 11' 11" W	13.20	L96	S 89° 11' 11" W	13.20
L97	S 89° 11' 11" W	89.81	L98	S 89° 11' 11" W	13.20	L99	S 89° 11' 11" W	13.20
L100	S 89° 11' 11" W	89.81	L101	S 89° 11' 11" W	13.20	L102	S 89° 11' 11" W	13.20

Easement Curve Data

LINE	CHORD	ARC LENGTH	CHORD BEARING	CHORD BEARING	CHORD BEARING
C1	117.20	117.20	117.20	117.20	117.20
C2	117.20	117.20	117.20	117.20	117.20
C3	117.20	117.20	117.20	117.20	117.20
C4	117.20	117.20	117.20	117.20	117.20
C5	117.20	117.20	117.20	117.20	117.20
C6	117.20	117.20	117.20	117.20	117.20
C7	117.20	117.20	117.20	117.20	117.20
C8	117.20	117.20	117.20	117.20	117.20
C9	117.20	117.20	117.20	117.20	117.20
C10	117.20	117.20	117.20	117.20	117.20
C11	117.20	117.20	117.20	117.20	117.20
C12	117.20	117.20	117.20	117.20	117.20
C13	117.20	117.20	117.20	117.20	117.20
C14	117.20	117.20	117.20	117.20	117.20
C15	117.20	117.20	117.20	117.20	117.20
C16	117.20	117.20	117.20	117.20	117.20
C17	117.20	117.20	117.20	117.20	117.20
C18	117.20	117.20	117.20	117.20	117.20
C19	117.20	117.20	117.20	117.20	117.20
C20	117.20	117.20	117.20	117.20	117.20
C21	117.20	117.20	117.20	117.20	117.20
C22	117.20	117.20	117.20	117.20	117.20
C23	117.20	117.20	117.20	117.20	117.20
C24	117.20	117.20	117.20	117.20	117.20
C25	117.20	117.20	117.20	117.20	117.20
C26	117.20	117.20	117.20	117.20	117.20
C27	117.20	117.20	117.20	117.20	117.20
C28	117.20	117.20	117.20	117.20	117.20
C29	117.20	117.20	117.20	117.20	117.20
C30	117.20	117.20	117.20	117.20	117.20

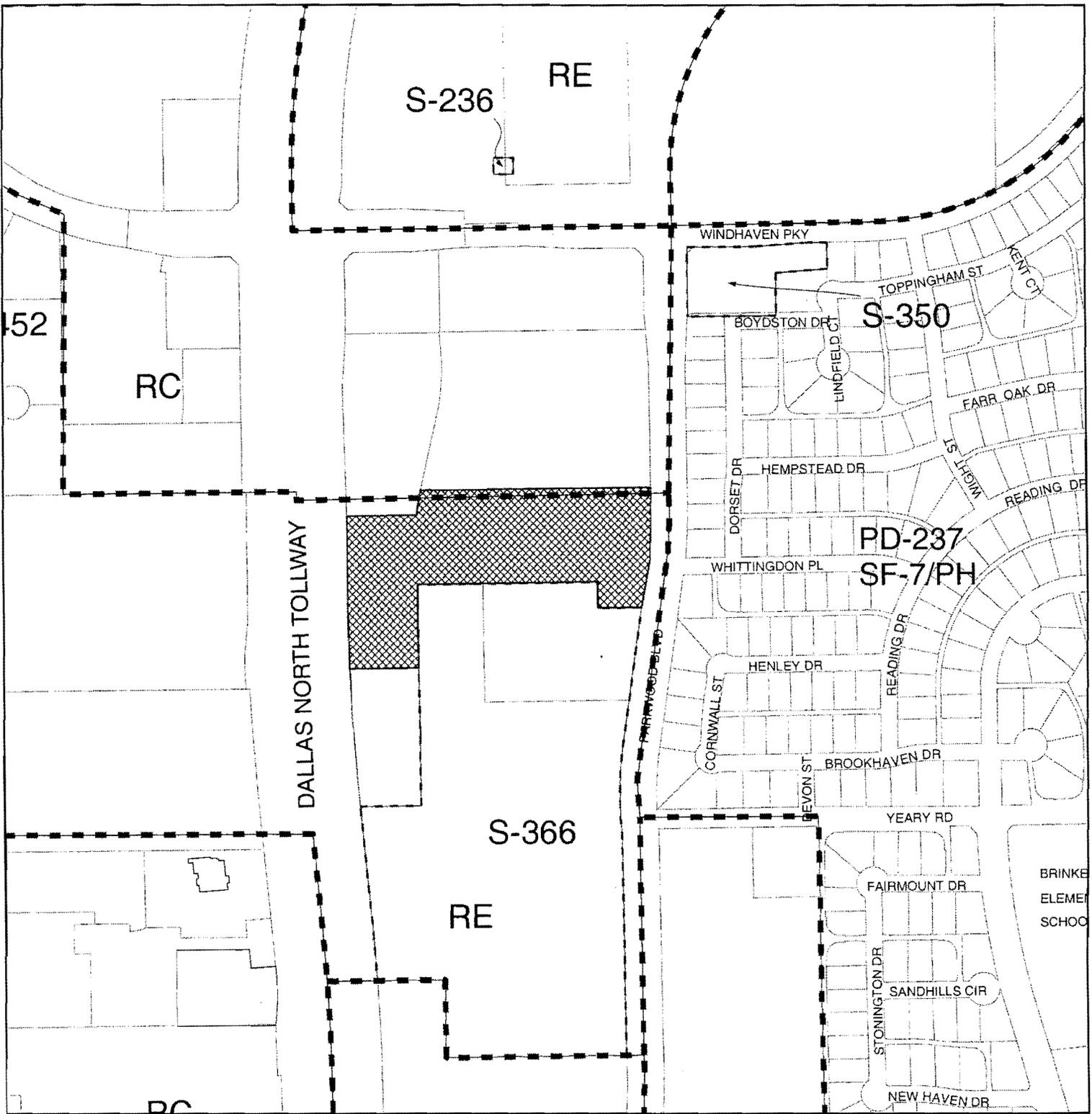


Conveyance Plat
Lot 1, Block A
Collinwood Farm Addition
 being an 80.348 acre tract, being part of a
 86.2467 acre tract, part of a 3.6344 acre tract,
 and part of a 15.4619 acre tract
 Samuel T. Noblett Survey, Abstract No. 667
 City of Plano, Collin County, Texas
 November 2009
 Sheet 1 of 2

Legend
 --- Boundary Line
 --- Easement Line
 --- Survey Line
 --- Right-of-Way Line
 --- Other Line

Owner
 Jason Byron Sawell, Jr., Trust
 5217 McKinney Avenue
 Dallas, TX 75225
 Ph. (214) 343-1111

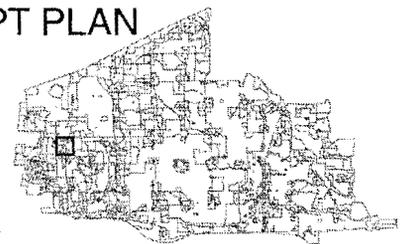
Roome Land Surveying, Inc.
 2000 Avenue G, Suite 300
 Plano, Texas 75074
 Phone (972) 434-4172 / Fax (972) 434-7511
 www.roomeandsurveying.com



Item Submitted: PRELIMINARY SITE PLAN & CONCEPT PLAN

Title: TINSELTOWN ADDITION
BLOCK A, LOTS 5 & 6

Zoning: REGIONAL EMPLOYMENT/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT

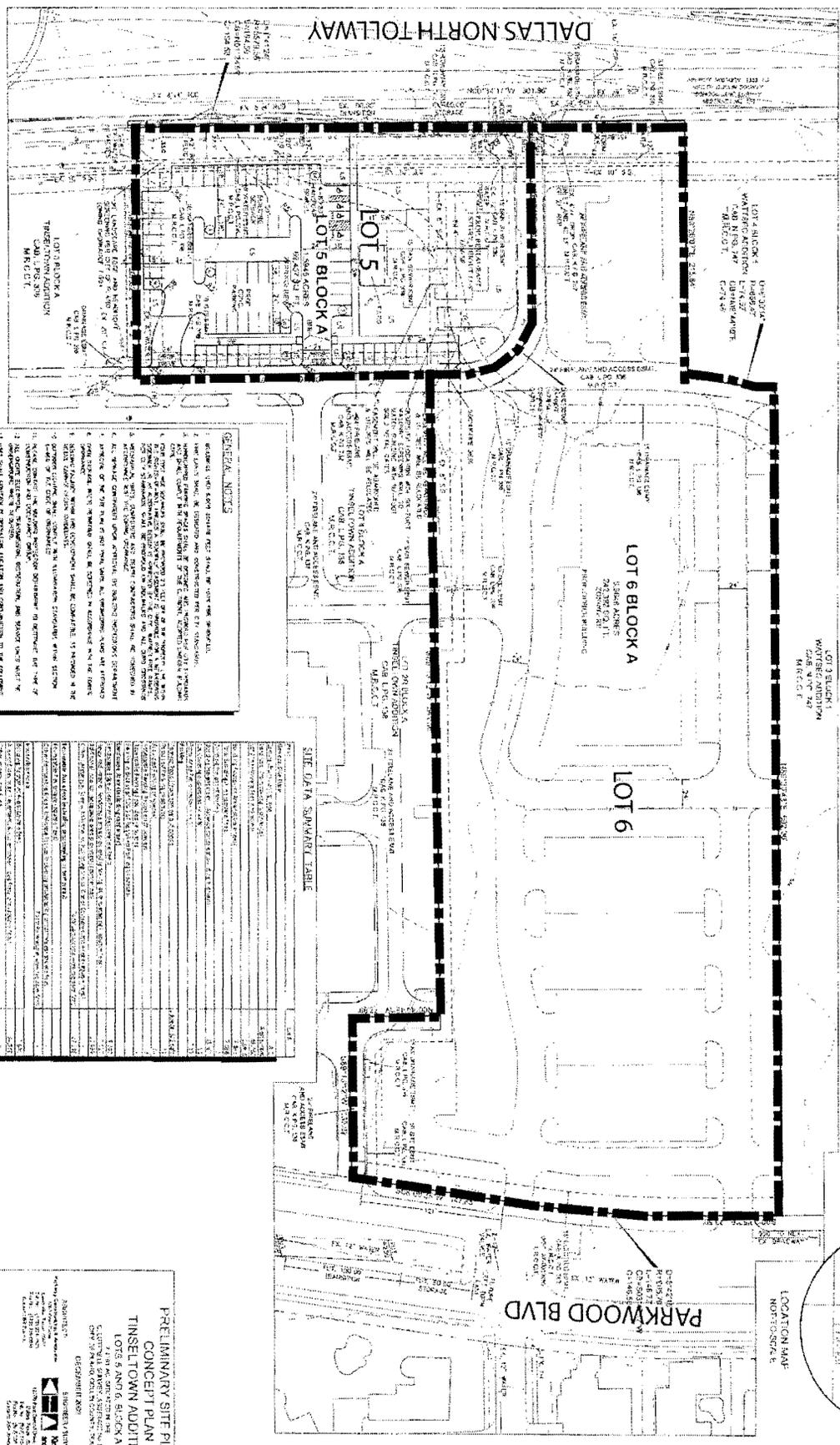
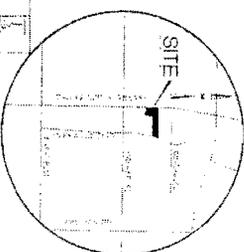
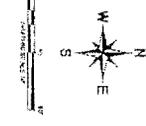


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NOTES
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LEGEND
 EXISTING CONCRETE
 EXISTING ASPHALT
 EXISTING GRAVEL
 EXISTING PAVEMENT
 EXISTING SIDEWALK
 EXISTING DRIVEWAY
 EXISTING UTILITY



GENERAL NOTES
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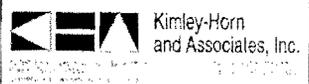
SITE DATA SUMMARY TABLE

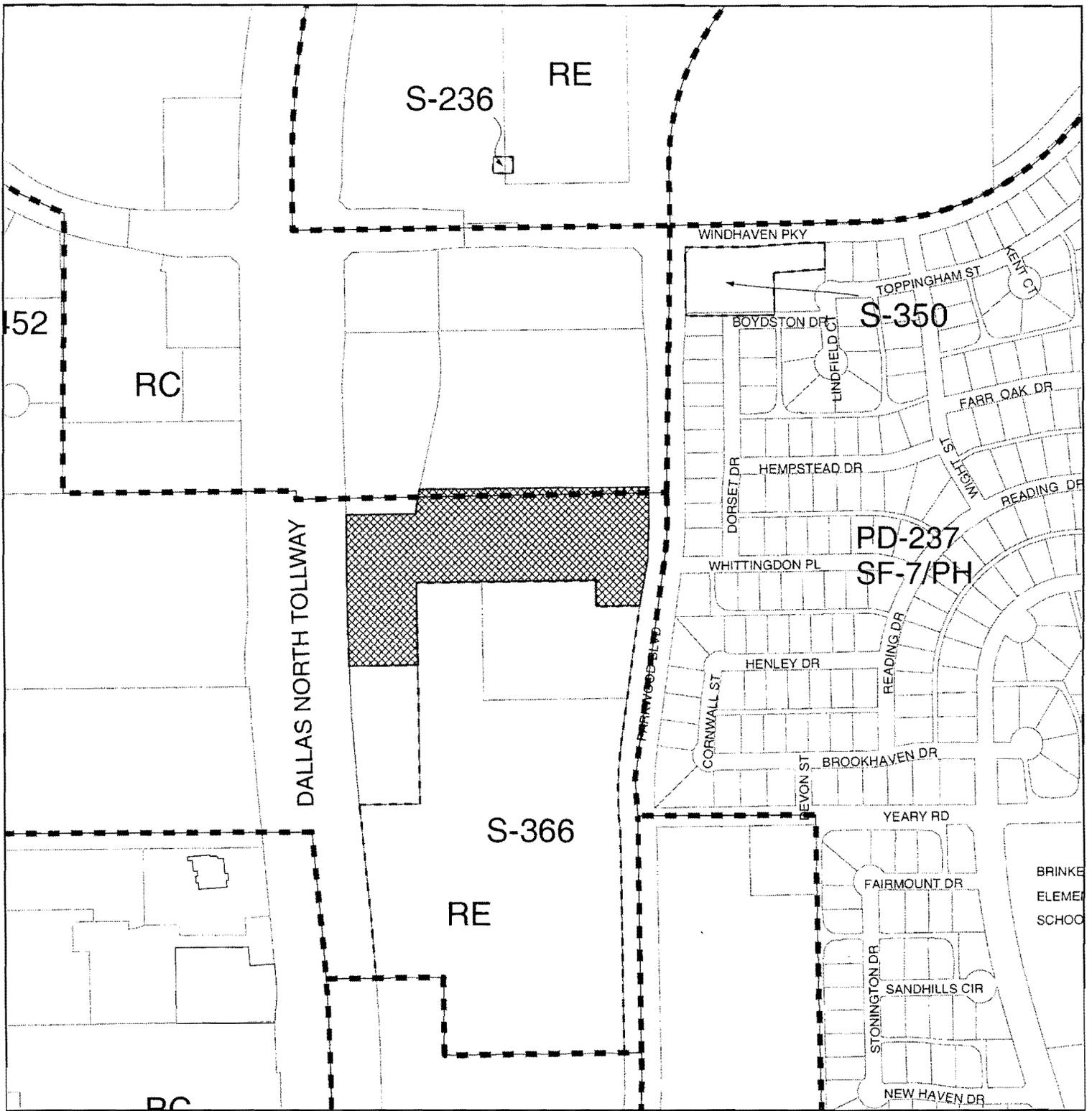
NO.	DESCRIPTION	AREA (SQ. FT.)	PERCENTAGE
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3	LOT 6	20,000	100%
4	LOT 6 BLOCK A	5,000	100%
5	LOT 6	20,000	100%
6	LOT 6 BLOCK A	5,000	100%
7	LOT 6	20,000	100%
8	LOT 6 BLOCK A	5,000	100%
9	LOT 6	20,000	100%
10	LOT 6 BLOCK A	5,000	100%
11	LOT 6	20,000	100%
12	LOT 6 BLOCK A	5,000	100%
13	LOT 6	20,000	100%
14	LOT 6 BLOCK A	5,000	100%
15	LOT 6	20,000	100%
16	LOT 6 BLOCK A	5,000	100%
17	LOT 6	20,000	100%
18	LOT 6 BLOCK A	5,000	100%
19	LOT 6	20,000	100%
20	LOT 6 BLOCK A	5,000	100%

PRELIMINARY SITE PLAN / CONCEPT PLAN
TINSELTOWN ADDITION
 LOTS 5 AND 6, BLOCK A
 1200 TINSLETOWN ADDITION
 DALLAS, TEXAS 75243
 PREPARED BY: KIMLEY-HORN AND ASSOCIATES, INC.
 DATE: 08/15/2018
 DRAWN BY: J. HORN
 CHECKED BY: J. HORN
 APPROVED BY: J. HORN

PRELIMINARY SITE PLAN & CONCEPT PLAN

TINSELTOWN ADDITION
 BLOCK A, LOTS 4R & 5
 PLANO, TEXAS

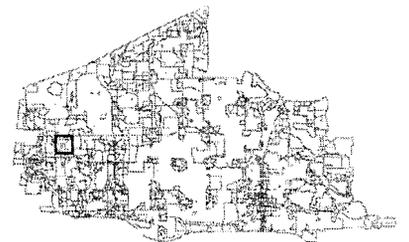




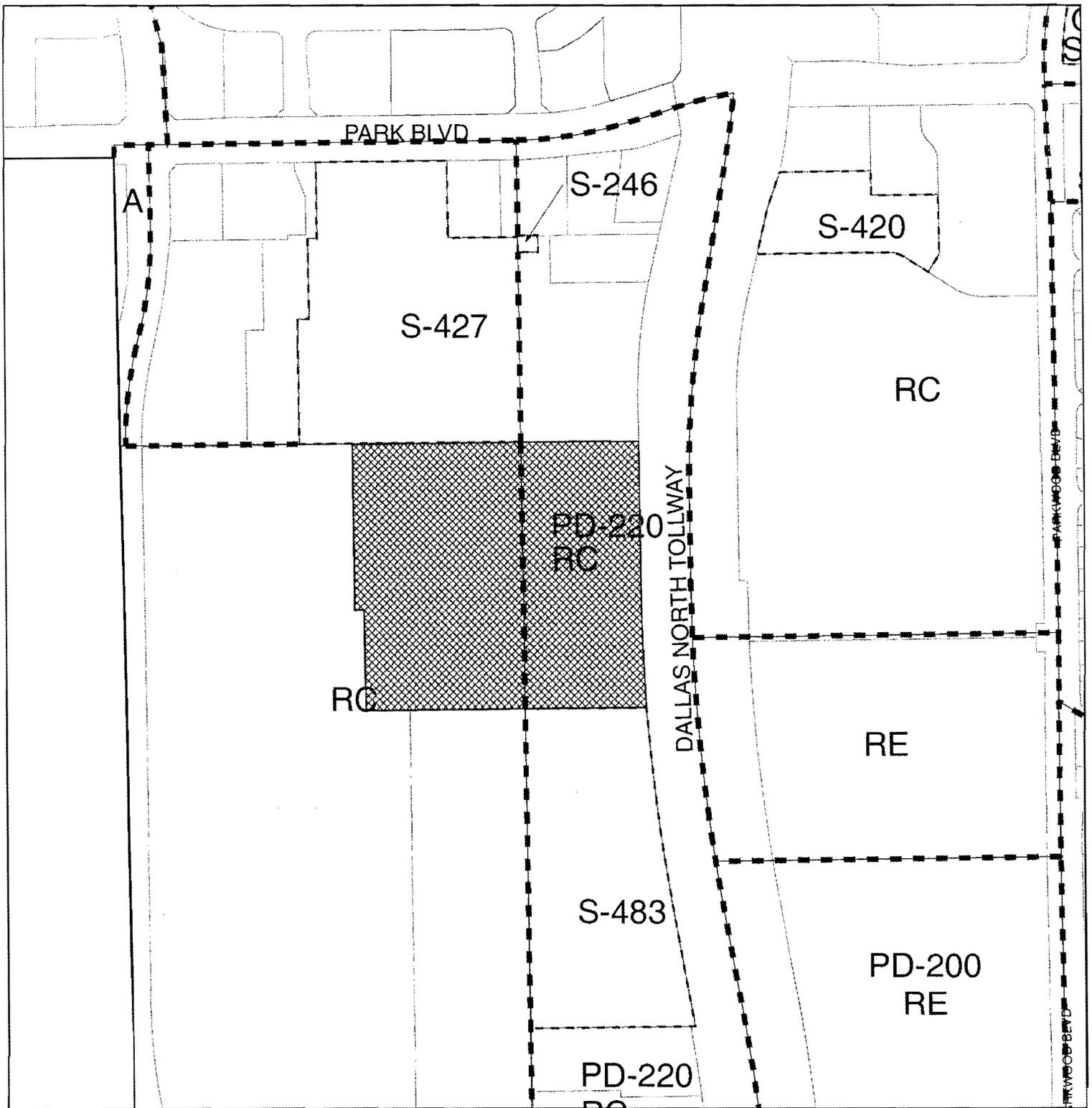
Item Submitted: REVISED CONVEYANCE PLAT

Title: TINSELTOWN ADDITION
BLOCK A, LOTS 5 & 6

Zoning: REGIONAL EMPLOYMENT/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



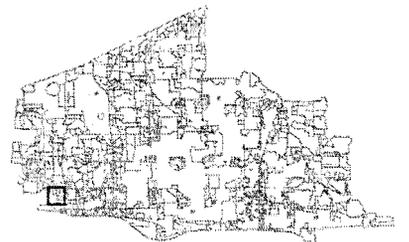
○ 200' Notification Buffer



Item Submitted: REVISED SITE PLAN

Title: WEST PLANO RETAIL CENTER
BLOCK 1, LOT 1

Zoning: REGIONAL COMMERCIAL & PLANNED DEVELOPMENT-220-
REGIONAL COMMERCIAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



CITY OF PLANO
PLANNING & ZONING COMMISSION

December 21, 2009

Agenda Item No. 6

Public Hearing: Zoning Case 2009-21

Applicant: Rutledge Haggard

DESCRIPTION:

Request to rezone 9.3± acres located at the southeast corner of Spring Creek Parkway and Communications Parkway **from** Agricultural **to** Regional Employment.

REMARKS:

The applicant is requesting to rezone an undeveloped 9.3± acre tract from Agricultural (A) to Regional Employment (RE). A companion specific use permit request (Zoning Case 2009-22) for a long-term care facility, as well as a companion preliminary site plan for a long-term care facility and medical office development, accompany this request.

The subject property is currently being used for agricultural purposes. The existing A district is intended to provide for farming, dairying, pasturage, horticulture, animal husbandry, and the necessary accessory uses for the packing, treating, or storing of produce. It is anticipated that all A districts will be changed to other zoning classifications as the city proceeds toward full development.

This property was annexed by the city in 1999 and at that time it was given the A zoning designation. The A zoning was put in place with the intention that the property would be rezoned once an applicant decided to develop the property.

The requested RE district is intended to provide for office and limited manufacturing uses that are consistent with the regional status of certain tollways and expressways serving Plano and surrounding communities. Some retail uses are also appropriate when developed in conjunction with the primary uses. The district's standards are designed to ensure compatibility between the various uses within a corridor and surrounding residential neighborhoods. The requested zoning is consistent with existing RE zoning along the Dallas North Tollway corridor, south of Spring Creek Parkway.

Surrounding Land Use and Zoning

The property to the south and east of this tract is currently undeveloped and is also zoned RE. To the north, across Spring Creek Parkway, a Type B+ thoroughfare, the property is undeveloped, and zoned Commercial Employment (CE). To the west, across Communications Parkway, a Type C Thoroughfare, is an existing single-family subdivision, Wolf Creek Estates 3, and is zoned Planned Development-464-Multifamily Residence-2 (PD-464-MF-2).

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Major Corridor Development (MCD). This request is in conformance with the Future Land Use Plan.

Adequacy of Public Facilities - Water and sanitary sewer services are available via extensions of existing services from Spring Creek Parkway and Communications Parkway.

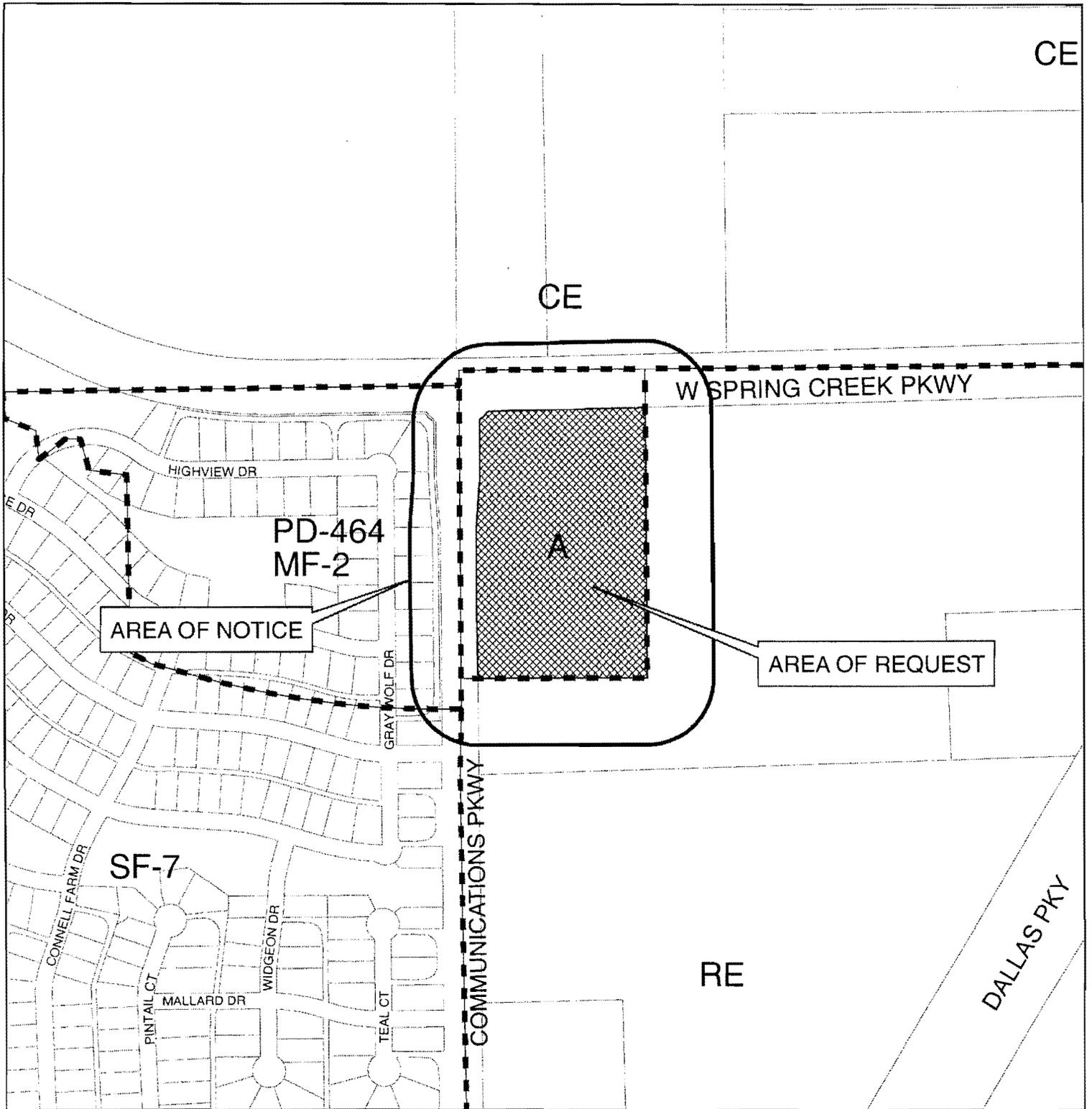
Traffic Impact Analysis (TIA) - A TIA is not required for this rezoning request. Existing traffic models for the City of Plano anticipated the rezoning of this property to a zoning district consistent with the Future Land Use Plan designation.

Summary

The applicant is requesting to rezone an undeveloped 9.3± acre tract from A to RE to allow for future long-term care facility (subject to approval of a specific use permit) and office development. The Zoning Ordinance specifically states that A zoning is anticipated to change as the city develops. The request is in conformance with the Comprehensive Plan and is consistent with the existing RE zoning of the properties to the east and south of the subject property.

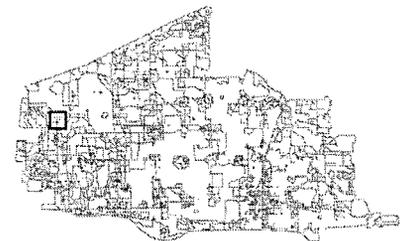
RECOMMENDATION:

Recommended for approval as submitted.

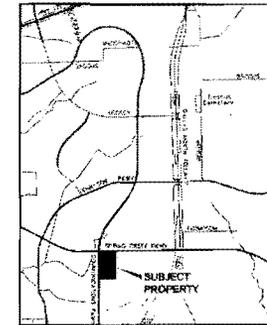
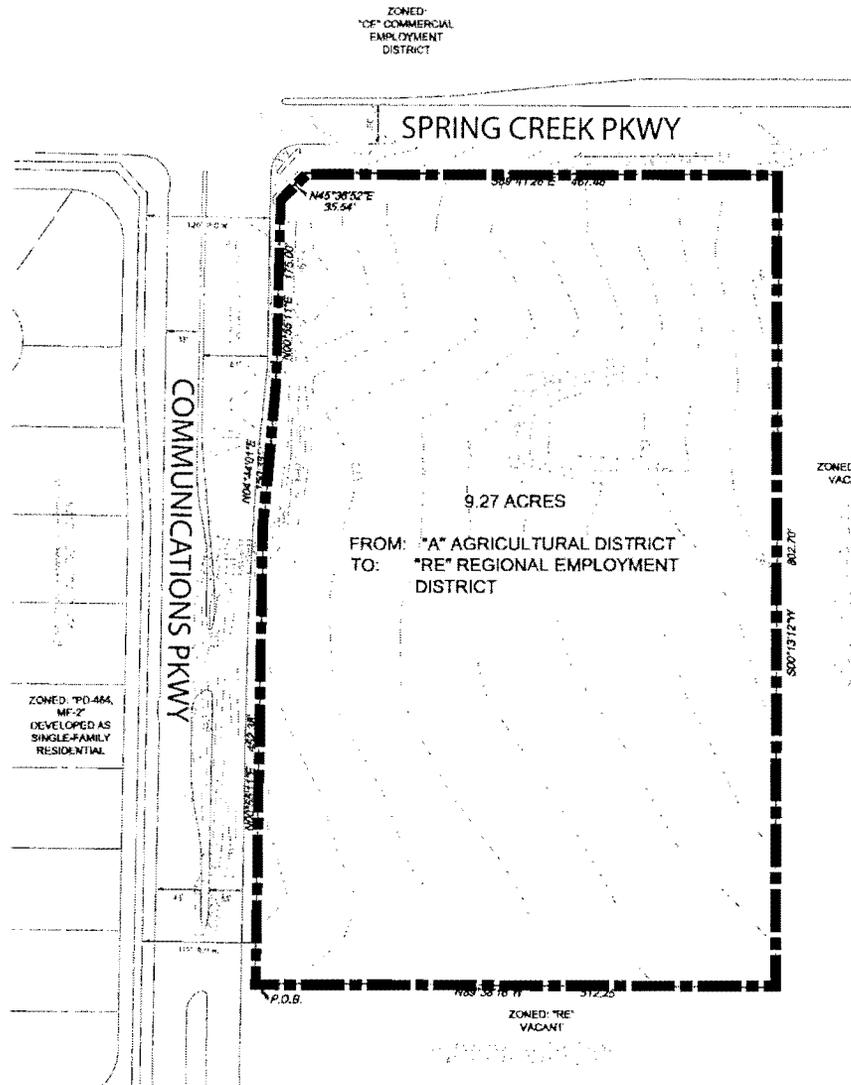


Zoning Case #: 2009-21

Existing Zoning: AGRICULTURAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer



VICINITY MAP N.T.S.

BOUNDARY DESCRIPTION:

SITUATED in the State of Texas, County of Collin and City of Plano, being part of the Henry B. Miller Survey, Abstract No. 614, being part of an 11.385 acre tract as recorded in Volume 4227, Page 835 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found marking the southwest corner of said 11.385 acre tract, a northwest corner of a 37.721 acre tract as recorded in Volume 5474, Page 2914 of the Collin County Land Records, and being in the east right-of-way line of Communications Parkway;

THENCE with the south line of said 11.385 acre tract, and a north line of said 37.721 acre tract, South 89°38'16" East, 55.04 feet to the Point of Beginning;

THENCE with a west line of said premises, the east line of said 1.852 acre tract, and the east right-of-way line of said Communications Parkway as follows: North 00°55'11" East, 452.38 feet to a 600 mill set, North 04°49'01" East, 150.33 feet to a 1/2-inch Roome capped iron rod set; North 00°55'11" East, 175.00 feet to a 1/2-inch Roome capped iron rod set marking a northwest corner of said premises, an interior corner of said 1.852 acre tract and the southwest corner of a corner clip;

THENCE with a northwest line of said premises, the southeast line of said corner clip along a southeast line of said 1.852 acre tract, and the southeast right-of-way line of said Communications Parkway, North 45°36'52" East, 35.54 feet to a 1/2-inch Roome capped iron rod set marking an interior corner of said premises, the northeast corner of said corner clip, an interior corner of said 1.852 acre tract, and being in the south right-of-way line of Spring Creek Parkway;

THENCE with the north line of said premises, a south line of said 1.852 acre tract and the south right-of-way line of said Spring Creek Parkway, South 89°41'26" East, 467.46 feet to a 1/2-inch Roome capped iron rod set marking the northeast corner of said premises, the southeast corner of said 1.852 acre tract, and being in the west line of the aforementioned 37.721 acre tract;

THENCE with the east line of said 11.385 acre tract and the west line of said 37.721 acre tract, South 00°13'12" West, 802.70 feet to a 1/2-inch Roome capped iron rod set marking the southeast corner of said 11.385 acre tract, said premises and an interior corner of said 37.721 acre tract;

THENCE with the south line of said 11.385 acre tract, said premises and a north line of said 37.721 acre tract, North 89°38'16" West, 512.25 feet to the place of beginning and containing 403,663 square feet or 9.27 acres of land.

ZONING EXHIBIT
FOR
ZONING CASE #2009-21
9.27 ACRES OUT OF THE
HENRY B. MILLER SURVEY, ABST. NO. 614
FROM: "A" AGRICULTURAL DISTRICT
TO: "RE" REGIONAL
EMPLOYMENT DISTRICT
LOCATED IN THE
CITY OF PLANO, COLLIN COUNTY, TEXAS

NOTE: APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAN, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS. PLANNING AND ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLANS OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

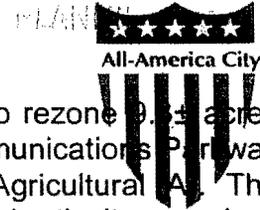
ENGINEER:
BANNISTER
ENGINEERING
CONTACT: JEFF LINDER

PROPERTY OWNER:
ACRES OF SUNSHINE, LTD.
800 CENTRAL PKWY E.
SUITE 100
PLANO, TEXAS 75075-5675
PH: (972) 231-8600
CONTACT: SHANE JORDAN

PREPARED: NOV. 21, 2009
REVISED: DEC. 17, 2009

REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2009-21. This is a request to rezone 9.5 acres located at the southeast corner of Spring Creek Parkway and Communications Parkway from Agricultural to Regional Employment. The current zoning is Agricultural A. The A district is intended to provide for farming, dairying, pasturage, horticulture, animal husbandry, and the necessary accessory uses for the packing, treating, or storing of produce. It is anticipated that all A districts will be changed to other zoning classifications as the city proceeds toward full development. The requested zoning is Regional Employment (RE). The RE district is intended to provide for office and limited manufacturing uses that are consistent with the regional status of certain tollways and expressways serving Plano and surrounding communities. Some retail uses are also appropriate when developed in conjunction with the primary uses. The district's standards are designed to ensure compatibility between the various uses within a corridor and surrounding residential neighborhoods.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-21.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-10.

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

Acres of Sunshine, Ltd
by: RH bPCO LLC
Name (Please Print)
800 Central Parkway E, Ste. 100
Plano, Tx 75074
Address

Robert Heggal
Signature *manager*
12-14-09
Date

EH

REPLY FORM

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

Dear Commissioners:



This letter is regarding Zoning Case 2009-21. This is a request to rezone 0.1 acres located at the southeast corner of Spring Creek Parkway and Communications Parkway **from** Agricultural **to** Regional Employment. The current zoning is Agricultural A. The A district is intended to provide for farming, dairying, pasturage, horticulture, animal husbandry, and the necessary accessory uses for the packing, treating, or storing of produce. It is anticipated that all A districts will be changed to other zoning classifications as the city proceeds toward full development. The requested zoning is Regional Employment (RE). The RE district is intended to provide for office and limited manufacturing uses that are consistent with the regional status of certain tollways and expressways serving Plano and surrounding communities. Some retail uses are also appropriate when developed in conjunction with the primary uses. The district's standards are designed to ensure compatibility between the various uses within a corridor and surrounding residential neighborhoods.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-21.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-10.

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

EARLANE BACCUS CROOM
Name (Please Print)

Earlane Bacus Croom
Signature

1421 Winrock Blvd.
Address Houston TX 77057-1729

12-9-09
Date

EH

CITY OF PLANO
PLANNING & ZONING COMMISSION

December 21, 2009

Agenda Item No. 7A

Public Hearing: Zoning Case 2009-22

Applicant: Acres of Sunshine, Ltd.

DESCRIPTION:

Request for a Specific Use Permit for Long-term Care Facility on 6.1± acres located on the east side of Communications Parkway, 290± feet south of Spring Creek Parkway. Zoned Agricultural.

REMARKS:

The requested zoning is a Specific Use Permit (SUP) for Long-term Care Facility. A long-term care facility is defined as a development providing in-patient health care, personal care, or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled due to injury or disease. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

The subject property is currently zoned Agricultural (A). The A zoning does not allow for long-term care facilities or other similar uses. The applicant is requesting that the property be rezoned to Regional Employment (RE), as explained in companion Zoning Case 2009-21. This SUP request is contingent upon the approval of Zoning Case 2009-21 by City Council.

A preliminary site plan, Haggard Stonegate Addition, Block A, Lots 1 & 2, accompanies this request. The applicant is proposing to develop the southern lot, Lot 2, as the long-term care facility.

The long-term care facility use is complimentary to the adjacent residential use and should provide a buffer between the existing residential subdivision and the Dallas North Tollway. The subject property is approximately 1,200 feet west of the tollway, which should provide adequate separation to allow for a livable environment for the future residents of the facility. The site will derive its primary access from Communications Parkway, and in the future, it will have access to Spring Creek

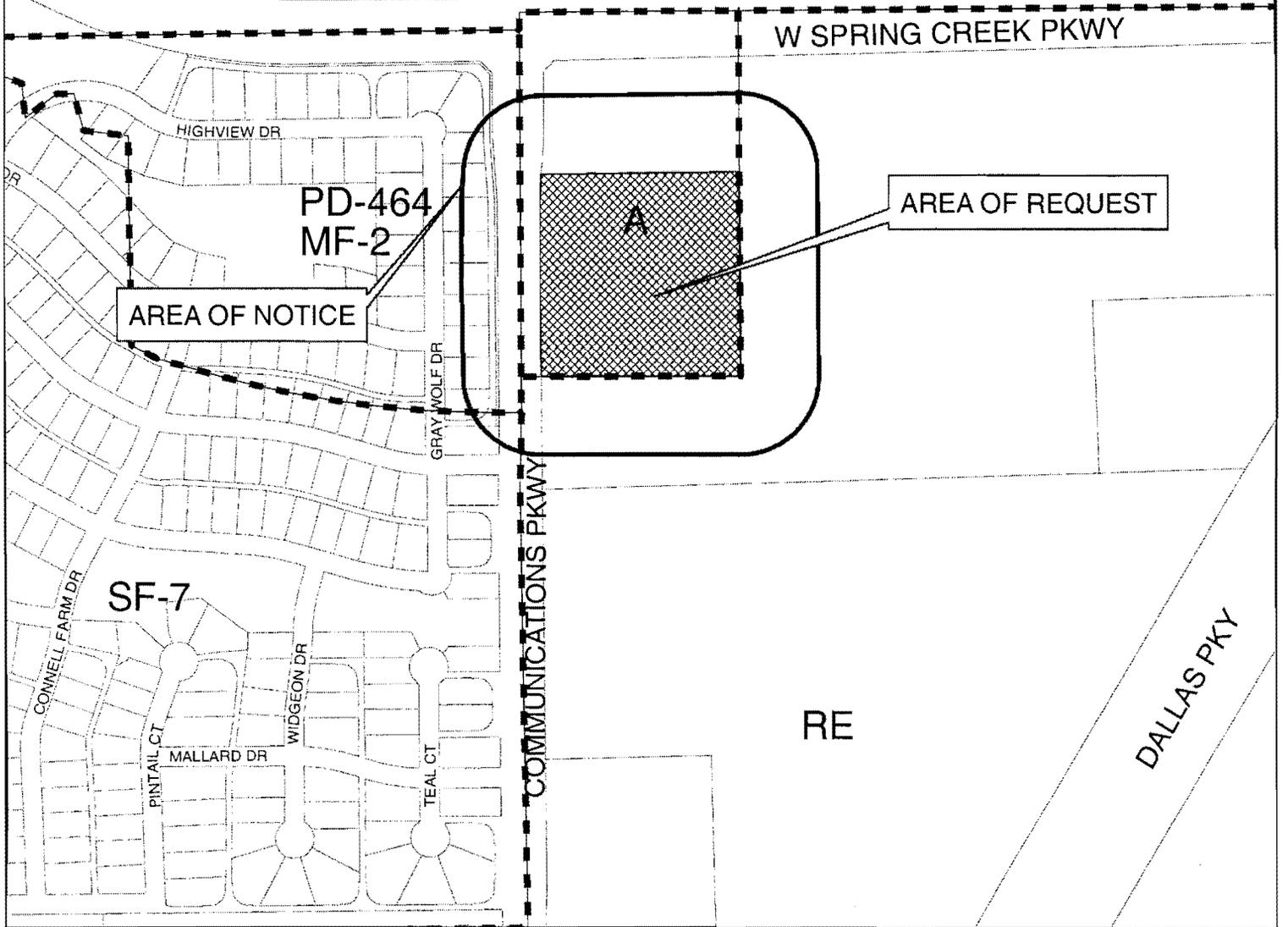
Parkway via the adjacent property to the north. Additionally, since this site does not have frontage on the tollway nor an arterial roadway, the requested use is appropriate because it does not rely upon visibility, unlike other uses currently allowed within the requested RE zoning district. For these reasons, staff believes this is an appropriate location for a long-term care facility.

RECOMMENDATION:

Recommended for approval subject to City Council approval of Zoning Case 2009-21.

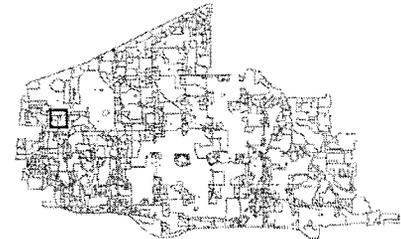
CE

CE



Zoning Case #: 2009-22

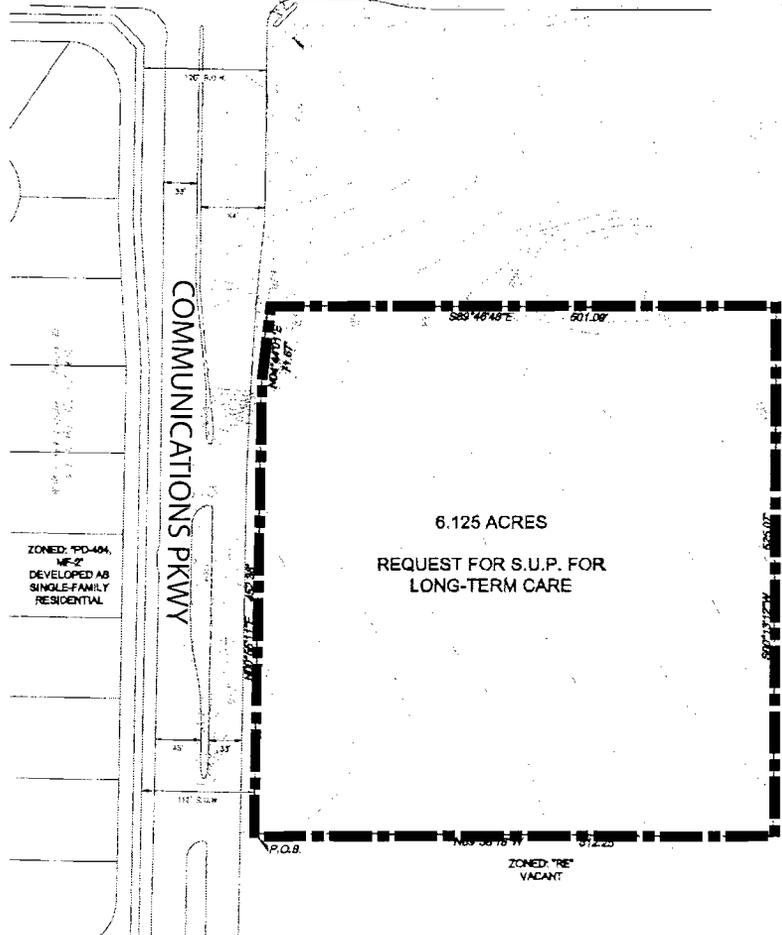
Existing Zoning: AGRICULTURAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer

ZONED:
"CE" COMMERCIAL
EMPLOYMENT
DISTRICT

SPRING CREEK PKWY



6.125 ACRES

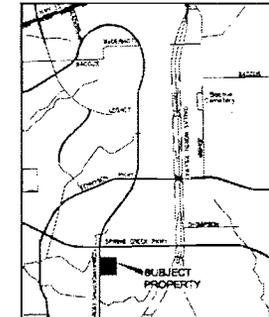
REQUEST FOR S.U.P. FOR
LONG-TERM CARE

ZONED "RE"
VACANT

ZONED "RE"
VACANT

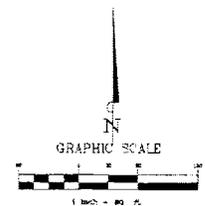
ZONED: "FD-404,
RFS-Z"
DEVELOPED AS
SINGLE-FAMILY
RESIDENTIAL

COMMUNICATIONS PKWY



VICINITY MAP

N.T.S.



BOUNDARY DESCRIPTION:

SITUATED in the State of Texas, County of Collin and City of Plano, being part of the Henry B. Miller Survey, Abstract No. 614, being part of an 11.385 acre tract as recorded in Volume 4227, Page 835 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found marking the southwest corner of said 11.385 acre tract, a northwest corner of a 37.721 acre tract as recorded in Volume 5424, Page 2914 of the Collin County Land Records, and being in the east right-of-way line of Communications Parkway;

THENCE with the north line of said 11.385 acre tract, and a north line of said 37.721 acre tract, South 89°38'16" East, 55.04 feet to the Point of Beginning;

THENCE with a west line of said premises, the east line of said 1.852 acre tract, and the east right-of-way line of said Communications Parkway as follows: North 00°55'11" East, 452.38 feet to a 5/8" nail set; North 04°44'01" East, 71.67 feet to a point for corner;

THENCE South 89°46'38" East, 501.09 feet to a point for corner on the west line of the aforementioned 37.721 acre tract;

THENCE with the east line of said 11.385 acre tract and the west line of said 37.721 acre tract, South 00°13'12" West, 525.07 feet to a 1/2-inch (Rooney capped) iron rod marking the southeast corner of said 11.385 acre tract, said premises and an interior corner of said 37.721 acre tract;

THENCE with the south line of said 11.385 acre tract, said premises and a north line of said 37.721 acre tract, North 89°38'16" West, 512.25 feet to the place of beginning and containing 266,805 square feet or 6.125 acres of land.

ZONING EXHIBIT
FOR
ZONING CASE # 2009-22
6.13 ACRES OUT OF THE
HENRY B. MILLER SURVEY, ABST. NO. 614
REQUEST FOR S.U.P. FOR
LONG-TERM CARE
LOCATED IN THE
CITY OF PLANO, COLLIN COUNTY, TEXAS

NOTE:
APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAN, OR PLAN, APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON, OR THE INITIATION OF THE DEVELOPMENT PROCESS. PLANNING AND ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLANS OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ACTION TAKEN ON THIS ZONING CASE.

ENGINEER:
BANNISTER
ENGINEERING
CONTACT: JEFF LINDER

PROPERTY OWNER:
ACRES OF SUNSHINE, LTD.
800 CENTRAL PKWY E.
SUITE 100
PLANO, TEXAS 75075-0578
PH: (972) 231-8600
CONTACT: SHANE JORDAN

PREPARED: NOV. 11, 2009
REVISED: NOV. 30, 2009

REPLY FORM

PLANNING & ZONING
COMMISSION
PLANO, TEXAS

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



Dear Commissioners:

This letter is regarding Zoning Case 2009-22. This is a request for Specific Use Permit for Long-term Care Facility on 6.1± acres located on the east side of Communications Parkway, 290± feet south of Spring Creek Parkway. The requested zoning is for a Specific Use Permit (SUP) for Long-term Care Facility. A Long-term Care Facility is a development providing in-patient health care, personal care, or rehabilitative services over a long period of time to persons chronically ill, aged, or disabled due to injury or disease. 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 2009-22.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-22.

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

Acres of Sunshine, Ltd
by RH 6PCO LLC
Name (Please Print)

800 Central Parkway E, Ste. 100
Plano, Tx 75074
Address

Signature *Manager*

12-14-09
Date

EH

CITY OF PLANO
PLANNING & ZONING COMMISSION

December 21, 2009

Agenda Item No. 7B

Preliminary Site Plan: Haggard Stonegate Addition, Block A, Lots 1 & 2

Applicant: Acres of Sunshine, Ltd.

DESCRIPTION:

Long-term care facility and medical office on two lots on 9.3± acres located at the southeast corner of Spring Creek Parkway and Communications Parkway. Zoned Agricultural. Neighborhood #26.

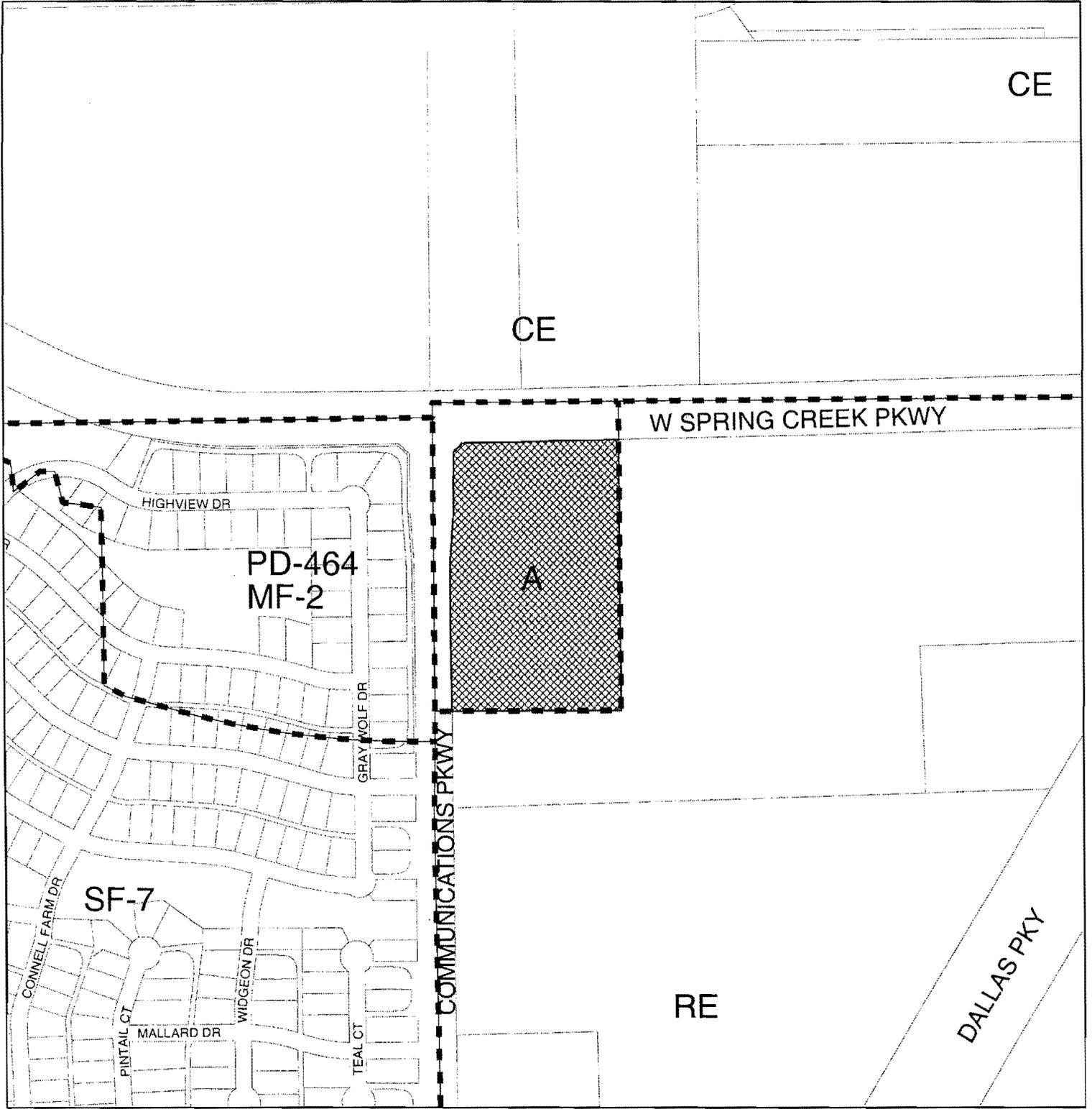
REMARKS:

This preliminary site plan is associated with Zoning Case 2009-22. The applicant is proposing medical offices on Lot 1 and a long-term care facility on Lot 2. The specific use permit requested with companion Zoning Case 2009-22 is for Lot 2 only, and is contingent upon City Council approval of the rezoning of the property to Regional Employment as requested with Zoning Case 2009-21.

The sites meet the Zoning Ordinance requirements for parking, building setbacks, landscaping, and other development provisions.

RECOMMENDATIONS:

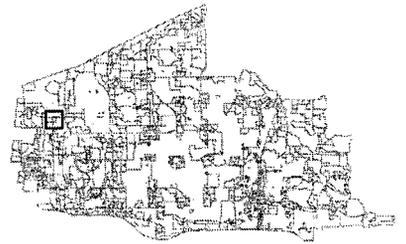
Recommended for approval subject to City Council approval of Zoning Cases 2009-21 and 2009-22.



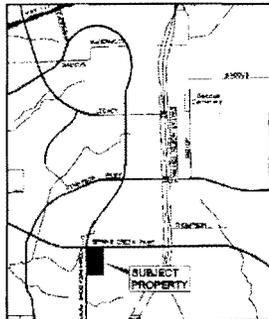
Item Submitted: PRELIMINARY SITE PLAN

Title: HAGGARD STONEGATE ADDITION
BLOCK A, LOTS 1 & 2

Zoning: AGRICULTURAL/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT

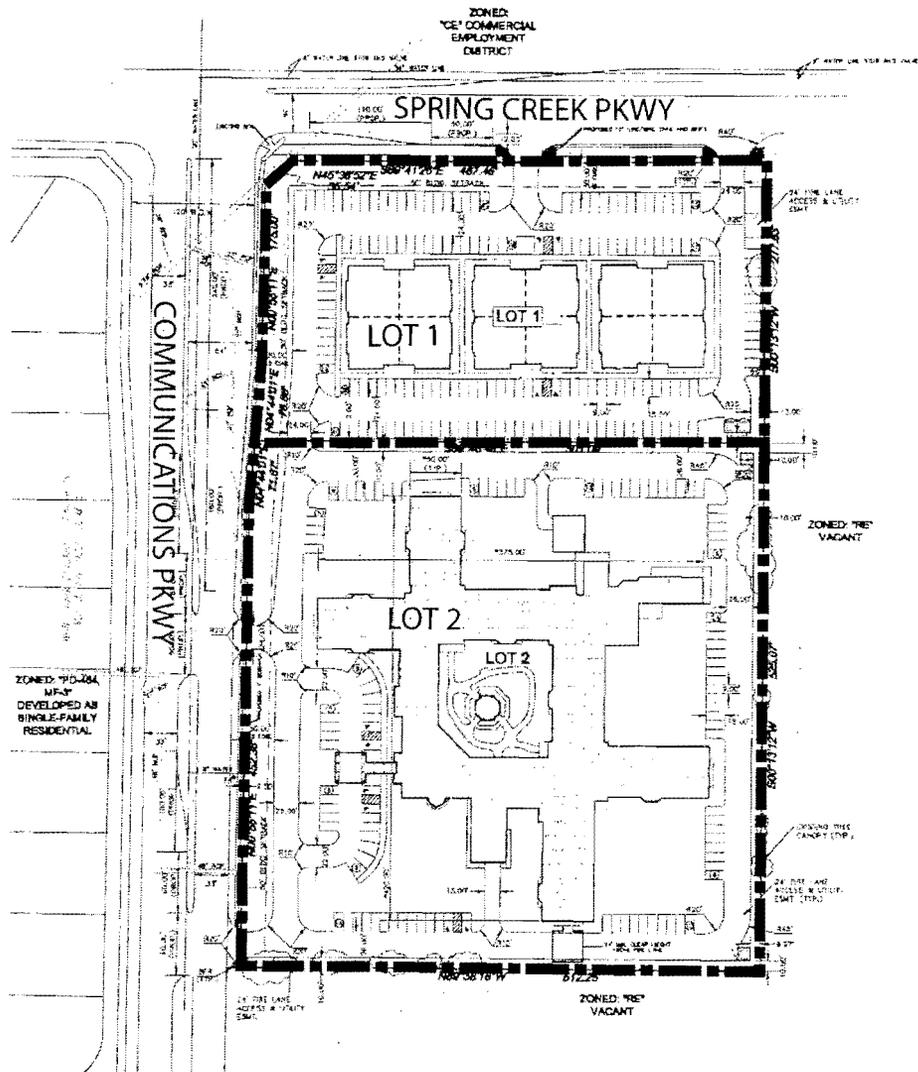


○ 200' Notification Buffer



VICINITY MAP

N.T.S.



ZONED 'CE' COMMERCIAL EMPLOYMENT DISTRICT

SPRING CREEK PKWY

COMMUNICATIONS PKWY

LOT 1

LOT 1

LOT 2

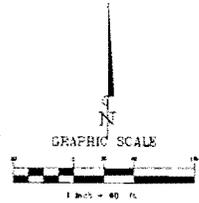
LOT 2

ZONED 'RE' VACANT

ZONED 'RD-204 MF-1 DEVELOPED AS SINGLE-FAMILY RESIDENTIAL

GENERAL NOTES:

1. BUILDINGS 8,000 SQUARE FEET OR GREATER SHALL BE 100% FIRE SPRINKLED.
2. FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS.
3. HANDICAPPED PARKING AREAS SHALL BE DESIGNED AND PROVIDED PER CITY STANDARDS AND SHALL COMPLY WITH REQUIREMENTS OF THE CURRENT ADOPTED INTERNATIONAL BUILDING CODE.
4. FOUR FOOT WIDE SIDEWALKS SHALL BE PROVIDED 2.5 FEET OFF THE PROPERTY LINE WITHIN THE RIGHTS-OF-WAY. UNLESS A SIDEWALK EASEMENT IS PROVIDED FOR A MEANDERING SIDEWALK OR AN ALTERNATIVE DESIGN IS APPROVED BY THE CITY. BARRIER-FREE RAMPS, PER CITY STANDARDS, SHALL BE PROVIDED ON SIDEWALKS AT ALL CURB CROSSINGS.
5. MECHANICAL UNITS, DUMPSTERS AND TRASH ENCLOSURES SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
6. ALL SIGNAGE CONTINGENT UPON APPROVAL OF BUILDING INSPECTION DEPARTMENT.
7. APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED.
8. OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
9. BUILDING FACADES WITHIN THIS DEVELOPMENT SHALL BE COMPATIBLE AS PROVIDED IN THE RETAIL CORNER DESIGN GUIDELINES.
10. OUTDOOR LIGHTING SHALL COMPLY WITH ILLUMINATION STANDARDS WITHIN SECTION 5-306 OF THE CODE OF ORDINANCES.
11. PLEASE CONTACT THE BUILDING INSPECTION DEPARTMENT TO DETERMINE THE TYPE OF CONSTRUCTION AND OCCUPANCY GROUP.
12. ALL ELECTRICAL TRANSMISSION, DISTRIBUTION AND SERVICE LINES MUST BE UNDERGROUND.
13. USES SHALL CONFORM IN OPERATION, LOCATION, AND CONSTRUCTION TO THE FOLLOWING PERFORMANCE STANDARDS IN SECTION 5-100 OF THE ZONING CODE: NOISE, SHOCK AND PARTICULATE MATTER, ODOROUS MATTER, FIRE OR EXPLOSIVE HAZARD MATERIAL, TOXIC AND NOXIOUS MATTER, VIBRATION AND/OR OTHER PERFORMANCE STANDARDS.



DATA SUMMARY:

Category	Item	Quantity	Notes
Site Area Data	Lot Area (sq ft)	145,000	
	Site Area (sq ft)	145,000	
	Lot Area (sq ft)	145,000	
	Site Area (sq ft)	145,000	
	Lot Area (sq ft)	145,000	
	Site Area (sq ft)	145,000	
	Lot Area (sq ft)	145,000	
	Site Area (sq ft)	145,000	
	Lot Area (sq ft)	145,000	
	Site Area (sq ft)	145,000	
Parking	Handicap	10	
	Standard	100	
	Total	110	
	Handicap	10	
	Standard	100	
	Total	110	
	Handicap	10	
	Standard	100	
	Total	110	
	Handicap	10	
Landscaping Area (Including Landscaping)	Planting Area	10,000	
	Planting Area	10,000	
Permissible Area (Including Landscaping)	Permissible Area	10,000	
	Permissible Area	10,000	
Impervious Area	Impervious Area	10,000	
	Impervious Area	10,000	

SITE NOTES:

1. ALL DUMPSTERS WILL BE SCREENED WITH METAL GATES AND IF MASONRY WALLS TO MATCH THE BUILDING. DUMPSTER GATES ARE NOT PERMITTED TO EXTEND INTO THE FIRE LANE.
2. ALL SINGLE DUMPSTERS SHALL BE MINIMUM 13' DEEP X 13' WIDE; ALL DOUBLE DUMPSTERS SHALL BE MINIMUM 13' DEEP X 22' WIDE.
3. ALL PUBLIC SIDEWALKS SHALL PROVIDE A MINIMUM 6'6" PASSING SPACE EVERY 200' AS SHOWN ON PLAN.

ENGINEER:
BANNISTER ENGINEERING
 CONTACT: JEFF LINDER

PROPERTY OWNER:
 ACRES OF SUNSHINE LTD.
 800 CENTRAL PKWY E.
 SUITE 100
 PLANO, TEXAS 75075-6678
 PH: (972) 231-0800
 CONTACT: SHANE JORDAN

PRELIMINARY SITE PLAN
 FOR
HAGGARD STONEGATE ADDITION
 Block A, Lots 1 and 2
 9.27 ACRES OUT OF THE
 HENRY B. MILLER SURVEY, ABST. NO. 614
 LOCATED IN THE
CITY OF PLANO,
COLLIN COUNTY, TEXAS
 PREPARED: NOV. 11, 2009
 REVISED: DEC. 9, 2009

CITY OF PLANO
PLANNING & ZONING COMMISSION

December 21, 2009

Agenda Item No. 8

Discussion & Direction: Digital Billboards

Applicant: City of Plano

DESCRIPTION:

Discussion and direction to consider amendments to the Zoning Ordinance regarding signage for the purpose of creating a billboard signage reduction program and to allow for the conversion of billboards to include electronic copy.

REMARKS:

At their October 12, 2009, preliminary open meeting, City Council received initial information about a billboard trade-in program. At that time, Council directed staff to begin review of this program with the Planning & Zoning Commission. At the November 16, 2009, Planning & Zoning Commission meeting, the Commission voted to call a public hearing for this purpose.

Staff has prepared the information below to help facilitate discussion regarding the proposed billboard trade-in program. The main goal of the trade-in program is to have a significant net reduction in off-premise signage. There are currently 68 nonconforming billboard signs located throughout the city. The Zoning Ordinance allows these existing billboards to remain based under the city's nonconforming use provisions which allow the content of a billboard sign to be modified but not enlarged. Otherwise, the ordinance prohibits the construction of new billboard signs.

Additionally, digital billboard technology is relatively new and is not specifically addressed in the Zoning Ordinance; this leaves some ambiguity about whether conversion to a digital sign would constitute an expansion of the existing sign.

Program Overview:

In short, the proposed trade-in program would allow the billboard industry to obtain a permit to legally erect a new digital billboard sign in exchange for removal of existing nonconforming billboard signage. This would require the companies to "trade-in" a

certain amount of existing signage in exchange for the right to erect new billboard signage within specific areas of the city. The particular ratio that would be required has yet to be determined.

The most concentrated areas of existing billboard signage are along the U.S. Highway 75 corridor and President George Bush Turnpike/State Highway 190 (map attached). A number of other billboards are scattered throughout town, including along Preston Road and 14th Street. In order to gain the biggest aesthetic impact for the community, staff is proposing designating a "receiving area" for the new billboards. This would be the only area where new billboards could be erected. The billboards to be taken down could come from anywhere in the city; this would be referred to as the "donating" area. Staff recommends U.S Highway 75 be considered as the receiving area due to the fact that it already has similar business signage, and pole signs are allowed along the corridor. President George Bush Turnpike/State Highway 190 is another potential receiving area, though the addition of billboards to this area would likely have a greater aesthetic impact to the community. Additionally, pole signs are currently prohibited within this corridor, except for a few limited areas.

Staff recommends the program be implemented for a limited time period, such as five years, in order to encourage trades to occur quickly. The program could be structured so that the City Council would have the option of continuing, expanding, narrowing, or eliminating the existing program at the end of the five year period; however, any signs permitted under the rules of the initial program would retain their conforming status, regardless of any changes.

State Regulations:

The Texas Department of Transportation (TxDOT) also regulates electronic signage, including but not limited to placement, size, animation, time interval for copy display, and lighting intensity. A copy of the TxDOT regulations are attached.

Program Elements:

As a starting point for discussion, staff is providing the following information for the Commission's consideration and direction. The information included is based upon staff's research of other cities' ordinances, as well as TxDOT's regulations. Staff requests the Commission provide direction pertaining to the various program elements identified below so that staff may begin crafting ordinance language should the Commission choose to recommend implementing this type of signage program.

Trade-in Provisions:

The main provisions for a trade-in program are described below.

Digital Billboards: A digital sign is an off-premise advertising sign displaying digital static images that change message or copy by programmable electronic processes.

Staff proposes the following provisions regarding digital billboards:

- 4:1 conversion ratio - Four square feet of existing conventional billboard display shall be removed within the city limits by an owner for each one square foot of digital billboard display area, either newly constructed or installed as a modification and/or conversion of an existing conventional billboard.
- The square footage must be removed from conventional billboards with complete sign faces. (This provision is to preclude dilapidated signs that should be removed based on their condition from being included in the program.)
- Where the total square footage removed exceeds the total required for the permit, credit for overage will be available for the duration of the program.

An example of this scenario is as follows:

On an existing nonconforming billboard with a face measuring 672 square feet, the billboard owner would have to do the following to modify/convert this face from a conventional billboard to a digital billboard:

1. Surrender the use of the existing conventional face (672 square feet) to be converted.
2. Take down an additional 2,016 square feet of conventional billboard face within the city limits (due to the 4:1 ratio recommended).

The additional square footage can be accumulated by the surrendering of smaller sign face sizes with less square footage as long as the total amount of square footage surrendered, **including the existing sign face**, is four times the square footage of the digital signage being requested. The owner may choose billboards for removal but must verify their location with the city as part of the digital trade in program requirements.

Location: As discussed in the "Program Overview" portion of this report, new billboard signage is proposed to be located within the U.S. Highway 75 corridor (i.e. the "receiving area") given existing comparable signage today. The conversion of existing nonconforming off-premise conventional billboard signs to digital billboards, and the construction and operation of new digital billboard signs, shall only be allowed on lots with frontage on the limited access thoroughfares and distances within the city limits as recommended below.

1. The property shall be zoned Corridor Commercial.
2. Minimum 200 foot distance from any freestanding general business sign or wall sign on the same parcel.
3. Minimum 1,000 feet from a highway to highway interchange.

4. Minimum 1,500 feet separation from any digital billboards on the same side of a freeway (TxDOT regulation).

Other Provisions:

In addition to the trade-in and conversion provisions previously noted, additional items for consideration include total size limitations (i.e. height, sign display area), structure design (monopole versus multiple poles), image display time, animation, light intensity, and sign content. As noted above, TxDOT also has certain requirements pertaining to electronic (digital) signs. The Commission needs to consider whether city regulations should be consistent with TxDOT's requirements or more restrictive. The following are program elements to consider: (elements that overlap with TxDOT requirements are marked with an "**")

1. Shall not exceed 672 square feet in total display area.
2. Billboards shall be of monopole design.
3. Shall not exceed 50 feet in height.
4. Minimum dwell time for static image display: Eight seconds. Copy change of image must be accomplished within two seconds.*
5. Transitions between message displays shall be immediate and must occur simultaneously on the entire display area.
6. No display shall include animation, full motion, blinking, flashing, dissolving, fading, moving light, scrolling message content or images, nor shall it project a static image upon a stationary object.*
7. The display of a message, content or image, shall be visible from only one direction of traffic travel per sign. This provision shall not preclude the conversion of existing billboards with two existing sign faces that have been designed to be viewed in opposite directions of travel, provided each face would be visible from only one direction of traffic travel per side.*
8. Light intensity levels must automatically adjust to natural ambient light conditions.*
9. The illumination intensity of the display of a digital billboard shall not exceed 0.3 footcandles above ambient light conditions. The distance (D) to measure footcandles intensity for the various-sized digital displays and the average luminance level is listed in the table below:

Billboard Dimensions (ft.)	D (ft.)	Luminance (Candela/sq. mtr.)
11 x 22	150	300
10.5 x 36	200	342
14 x 48	250	300
20 x 60	350	330

10. A digital billboard or its message, content or image, shall not resemble or simulate any lights or official signage used to control traffic in accordance with the currently adopted edition of the TxDOT Manual on Uniform Traffic Control Devices.*
11. The operator will be responsible for monitoring the display face, and correcting a malfunction or damage to a digital sign shall trigger a default design mechanism that automatically freezes the sign in one non-illuminated, static, single message content or display position.*
12. The owner of a digital billboard shall provide the city contact information for a person who is available at any time and able to turn off the display promptly should a billboard malfunction, damage, or reduction of light intensity be required, within 12 hours of the request. Such contact information shall be resubmitted to the city every six months.*
13. Digital billboard construction shall require underground utility service.

Public Input:

In order to determine interest and feasibility, staff met with local billboard companies to discuss development of a “trade-in” program for billboard signs. Industry comments about the potential program included:

- Reduce the required trade-in ratios;
- Sign locations and distance requirements;
- Reduction requirements;
- Trade or transfer of rights and sign equity;
- Extend the program duration;
- Retaining square footage credit in a trade-in overage; and
- Offer a trade-in program that would allow construction of new, conventional (static) billboards.

These companies have been invited to the Commission's meetings so that they may hear the discussion as well as provide input if requested by the Commission.

RECOMMENDATION:

Staff requests the Planning & Zoning Commission provide direction regarding the appropriateness of a billboard signage reduction program including allowing the conversion of billboard signs to include electronic copy, the proposed program elements as identified by staff, and if the Commission finds the program beneficial for the city.

Texas Administrative Code

TITLE 43 TRANSPORTATION
PART 1 TEXAS DEPARTMENT OF TRANSPORTATION
CHAPTER 21 RIGHT OF WAY
SUBCHAPTER I REGULATION OF SIGNS ALONG INTERSTATE AND PRIMARY
HIGHWAYS
RULE §21.163 Electronic Signs

(a) Electronic images. The department has determined that the use of an electronic image on a digital display device is not the use of a flashing, intermittent, or moving light for the purposes of any rule, regulation, and standard promulgated by the department or any agreement between the department and the Secretary of Transportation of the United States.

(b) Prohibitions. An electronic sign shall not:

- (1) be illuminated by flashing, intermittent, or moving lights;
- (2) contain or display animated, moving video, or scrolling advertising;
- (3) consist of a static image projected upon a stationary object; or
- (4) be a mobile sign located on a truck or trailer.

(c) Location of electronic signs.

(1) Electronic signs may only be located, relocated, or upgraded along a regulated highway within the corporate limits of a municipality or within the extraterritorial jurisdiction of a municipality that pursuant to state law has extended its municipal regulation to include that area and is allowed by the municipality's sign or zoning ordinance.

(2) Notwithstanding §21.160 of this subchapter, an electronic sign may not be relocated so that any part of the relocated sign would be within 1,500 feet of another off-premise electronic sign on the same side of a regulated highway.

(d) Upgrading an electronic sign.

(1) Lighting shall not be added to or used to illuminate nonconforming signs.

(2) A legally conforming sign may be modified to an electronic sign if a new permit for the electronic sign is obtained from both the municipality and the department.

(3) Lighting shall not be added to or used to illuminate a sign if prohibited by the municipality's sign or zoning ordinance.

(e) Eligible electronic signs.

(1) Electronic signs may be located on either side of the highway; however, each sign must only be visible from one direction of travel.

(2) Each message on an electronic sign shall be displayed for at least eight seconds and a change of message shall be accomplished within two seconds.

(3) A change of message must occur simultaneously on the entire sign face.

(f) Safety. An electronic sign must:

(1) contain a default mechanism that freezes the sign in one position if a malfunction occurs; and

(2) automatically adjust the intensity of its display according to natural ambient light conditions.

(g) Owner responsibilities.

(1) The owner of an electronic sign shall coordinate with local authorities to display, when appropriate, emergency information important to the traveling public, such as Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.

(2) The sign owner shall provide to the department contact information for a person who is available to be contacted at any time and who is able to turn off the electronic sign promptly after a malfunction occurs.

(3) If the department finds that an electronic sign causes glare or otherwise impairs the vision of the driver of a motor vehicle or otherwise interferes with the operation of a motor vehicle, the owner of the sign, within 12 hours of a request by the department, shall reduce the intensity of the sign to a level acceptable to the department.

(h) Granting permits. The department will grant a permit for an electronic sign if the application for the permit:

(1) satisfies the requirements of this subchapter; and

(2) has attached to it:

(A) a certified copy of the permit issued by the municipality that gives permission for the electronic sign; or

(B) if the municipality does not issue permits, a certified copy of written permission for the electronic sign from the municipality.

(i) Conflicts with subchapter. All regulations provided by this subchapter apply to electronic signs, except if this section conflicts with another provision of this subchapter, this section controls.

