

PLANNING & ZONING COMMISSION

PLANO MUNICIPAL CENTER

1520 K AVENUE

May 18, 2009

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>5:30 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 May 4, 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 BM Preliminary Site Plan & Concept Plan: Alcatel USA Addition, Block A, Lots 6R & 7 - Electrical substation on one lot and one concept lot on 8.5± 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</p>	

<p>5b EH</p>	<p>Final Plat: Parker Road Early Childhood School, Block A, Lot 1 - Public school on one lot on 12.9± acres located at the northeast corner of Parker Road and San Gabriel Drive. Zoned Planned Development-320-Estate Development. Neighborhood #50. Applicant: Plano Independent School District</p>	
<p>5c EH</p>	<p>Preliminary Plat: Hinckley Addition, Block A, Lot 2 - Day care center on one lot on 3.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center. Neighborhood #50. Applicant: HGMA, LLC</p>	
<p><u>END OF CONSENT AGENDA</u></p>		
<p><u>PUBLIC HEARINGS</u></p>		
<p>6 BM</p>	<p>Public Hearing: Zoning Case 2008-74 - Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), and Subsection 3.102 (Day Care Centers) of Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding day care centers. Applicant: City of Plano</p>	
<p>7A EH</p>	<p>Public Hearing: Zoning Case 2009-08 - Request to amend Planned Development-109-Retail/General Office on 14.8± acres located at the southwest corner of Park Boulevard and Alma Drive to revise the concept plan adopted for this planned development district. Zoned Planned Development-109-Retail/General Office. Applicant: Racetrac Petroleum, Inc.</p>	
<p>7B EH</p>	<p>Public Hearing - Revised Concept Plan: Park & Alma Addition, Block A, Lot 2, and Collin Creek Corporate Center, Block A, Lots 1R, 2, & 3 - Convenience store with gas pumps, office, and retail buildings on four lots on 37.7± acres located at the southwest corner of Park Boulevard and Alma Drive. Zoned Planned Development-109-Retail/General Office and Planned Development-60-General Office. Neighborhood #58. Applicant: Racetrac Petroleum, Inc.</p>	

<p>8 PJ</p>	<p>Public Hearing: Zoning Case 2009-09 - Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations), Section 6.200 (Board of Adjustments) of Article 6 (Procedures and Administration) and related sections of the Zoning Ordinance to amend regulations for household care facilities, rehabilitation care facilities, and boarding houses; establish definitions for household, boarding houses, and permitted uses and standards; and to establish a process for reasonable accommodation of housing for persons with disabilities. Applicant: City of Plano</p>	
<p>9 EH</p>	<p>Public Hearing - Replat: Baylor Medical Center at Plano, Block A, Lot 1R - Hospital and medical office on one lot on 22.5± acres located at the southeast corner of Allied Drive and Alliance Boulevard. Zoned Planned Development-138-Retail/General Office with Specific Use Permit #164 for Outdoor Commercial Amusement Facility/190 Tollway/Plano Parkway Overlay District. Neighborhood #55. Applicant: Baylor Healthcare System</p>	
<p>10 EH</p>	<p>Public Hearing - Replat: EDS Clusters, Block A, Lot 4R - General offices on one lot on 43.7± acres located at the northeast corner of Democracy Drive and Tennyson Parkway. Zoned Commercial Employment. Neighborhood #16. Applicant: Electronic Data Systems, LLC</p>	
<p>11 BM</p>	<p>Public Hearing - Replat: Beaty Early Childhood School, Block A, Lot 1R - Public school on one lot on 8.0± acres located at the southeast corner of Eldorado Drive and Nevada Drive. Zoned Single-Family Residence-7. Neighborhood #55. Applicant: Plano Independent School District</p>	
<p>12 BM</p>	<p>Public Hearing - Replat: Church of Christ on McDermott Road Addition, Block 1, Lot 1R - Religious facility on one lot on 12.0± acres located at the southwest corner of McDermott Road and Gifford Drive. Zoned Single-Family Residence-6. Neighborhood #5. Applicant: Church of Christ on McDermott Road</p>	
<p>13 JG</p>	<p>Public Hearing: Amendments to the Thoroughfare Standards Rules and Regulations - Request to amend the Thoroughfare Standards Rules and Regulations. The potential amendments include revised roadway design, access, and visibility geometric standards, and revised references to the Zoning Ordinance and Transportation Element of the Comprehensive Plan. Applicant: City of Plano</p> <p><u>END OF PUBLIC HEARINGS</u></p>	

14 **Request to Call a Public Hearing** - A request to call a public hearing to
TF amend the mini-warehouse/public storage requirements of the Zoning Ordinance. **Applicant: City of Plano**

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

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

May 18, 2009

Agenda Item No. 5a

Preliminary Site Plan & Concept Plan: Alcatel USA Addition, Block A,
Lots 6R & 7

Applicant: Oncor Electric Delivery

Electrical substation on one lot and one concept lot on 8.5± 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.

The applicant is proposing to subdivide the property to develop an electrical substation on the western lot (Lot 6R) and concept plan the other lot (Lot 7).

Recommended for approval as submitted.

Agenda Item No. 5b

Final Plat: Parker Road Early Childhood School, Block A, Lot 1

Applicant: Plano Independent School District

Public school on one lot on 12.9± acres located at the northeast corner of Parker Road and San Gabriel Drive. Zoned Planned Development-320-Estate Development. Neighborhood #50.

The purpose for this final plat is to dedicate easements necessary for completing the development of the property as a public school.

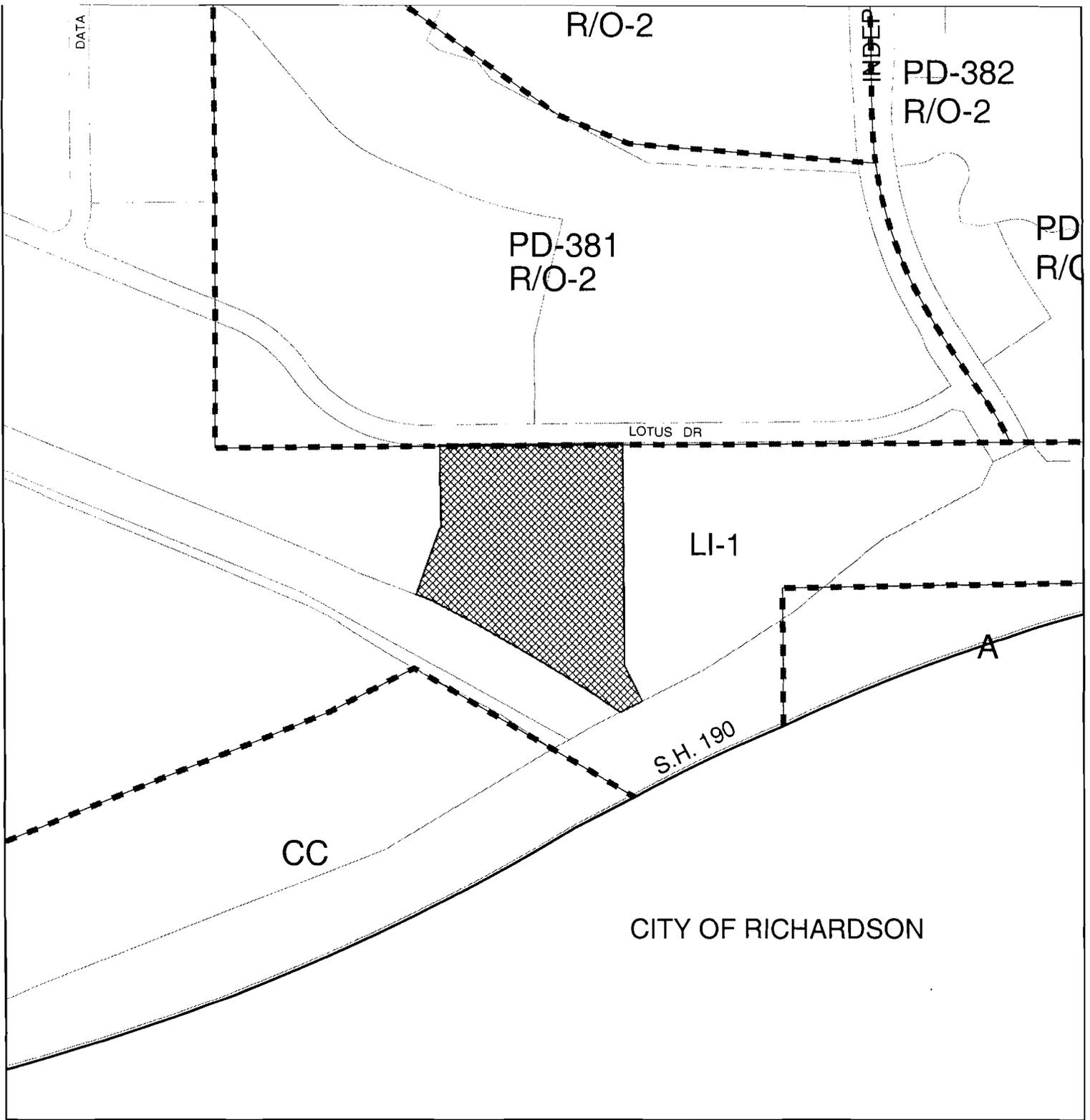
Recommended for approval as submitted.

Agenda Item No. 5c
Preliminary Plat: Hinckley Addition, Block A, Lot 2
Applicant: HGMA, LLC

Day care center on one lot on 3.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development with Specific Use Permit #598 for Day Care Center. Neighborhood #50.

The purpose for this preliminary plat is to propose easements necessary for the development of the property as a day care center.

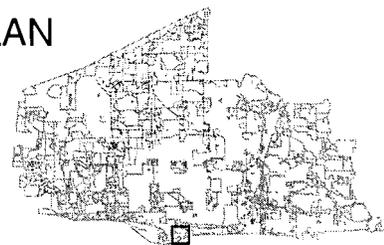
Recommended for approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.



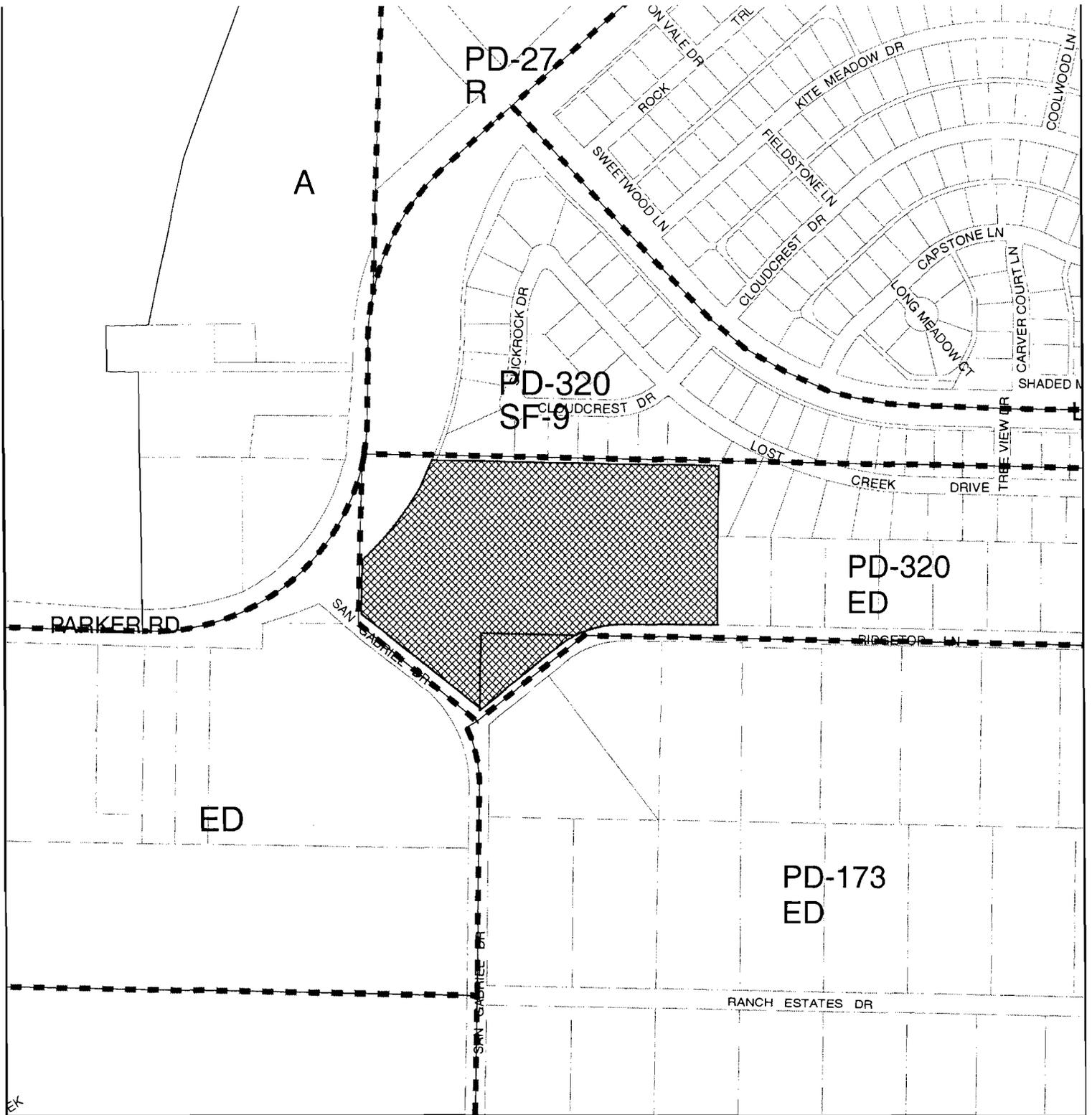
Item Submitted: PRELIMINARY SITE PLAN & CONCEPT PLAN

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

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



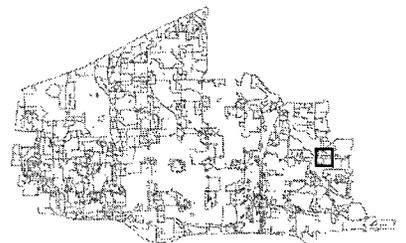
○ 200' Notification Buffer



Item Submitted: FINAL PLAT

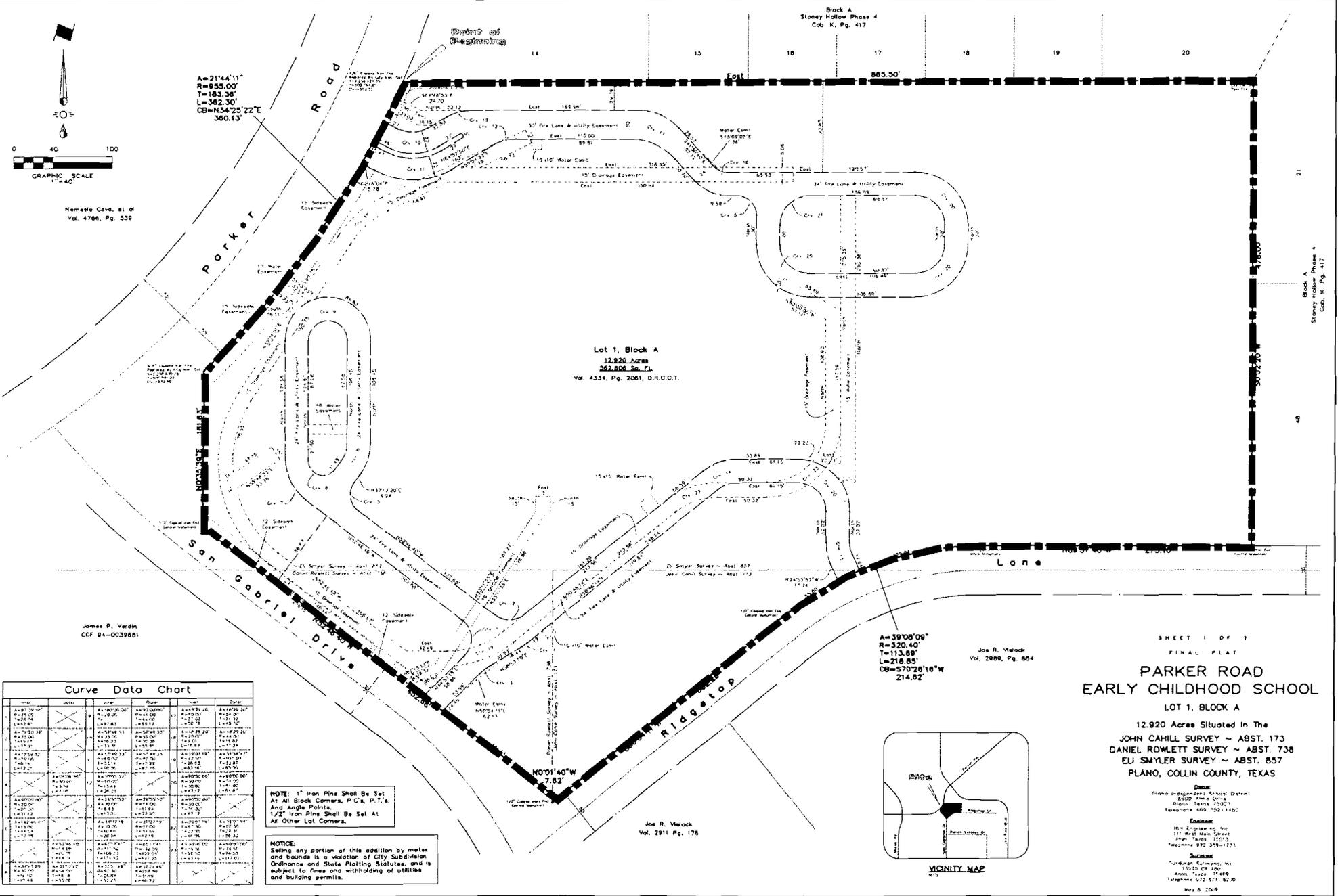
Title: PARKER ROAD EARLY CHILDHOOD SCHOOL BLOCK A, LOT 1

Zoning: PLANNED DEVELOPMENT-320-ESTATE DEVELOPMENT

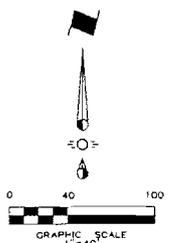


○ 200' Notification Buffer





A=21'44"11"
 R=935.00'
 T=183.36'
 L=342.30'
 CB=N34°25'22"E
 360.13'



Nemato Cava, et al
 Vol. 4766, Pg. 339

Lot 1, Block A
 12.920 Acres
 267,808 Sq. Ft.
 Vol. 4334, Pg. 2061, D.R.C.C.T.

A=39°08'09"
 R=320.40'
 T=113.89'
 L=216.85'
 CB=S70°28'16"W
 214.82'

Joe R. Vrelok
 Vol. 2080, Pg. 854

SHEET 1 OF 2
 FINAL PLAT

**PARKER ROAD
 EARLY CHILDHOOD SCHOOL**

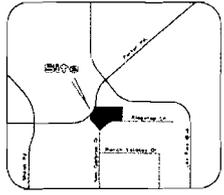
LOT 1, BLOCK A

12.920 Acres Situated in The
 JOHN CAHILL SURVEY ~ ABST. 173
 DANIEL ROWLETT SURVEY ~ ABST. 738
 EU SMYLER SURVEY ~ ABST. 857
 PLANO, COLLIN COUNTY, TEXAS

Owner
 Plano Independent School District
 8600 Anna Drive
 Plano, Texas 75074
 Telephone 469-752-1480

Engineer
 Joe R. Vrelok, Inc.
 111 West Main Street
 Fort Worth, Texas 76102
 Telephone 817-358-1231

Surveyor
 Turlough Surveying, Inc.
 19102 Old 840
 Anna, Texas 77401
 Telephone 409-824-8000
 May 8, 2019



Curve	Station	Angle	Radius	Chord	Offset	Area
1	1+00.00	90.00	100.00	100.00	0.00	0.00
2	1+10.00	90.00	100.00	100.00	0.00	0.00
3	1+20.00	90.00	100.00	100.00	0.00	0.00
4	1+30.00	90.00	100.00	100.00	0.00	0.00
5	1+40.00	90.00	100.00	100.00	0.00	0.00
6	1+50.00	90.00	100.00	100.00	0.00	0.00
7	2+00.00	90.00	100.00	100.00	0.00	0.00
8	2+10.00	90.00	100.00	100.00	0.00	0.00
9	2+20.00	90.00	100.00	100.00	0.00	0.00
10	2+30.00	90.00	100.00	100.00	0.00	0.00
11	2+40.00	90.00	100.00	100.00	0.00	0.00
12	2+50.00	90.00	100.00	100.00	0.00	0.00
13	3+00.00	90.00	100.00	100.00	0.00	0.00
14	3+10.00	90.00	100.00	100.00	0.00	0.00
15	3+20.00	90.00	100.00	100.00	0.00	0.00
16	3+30.00	90.00	100.00	100.00	0.00	0.00
17	3+40.00	90.00	100.00	100.00	0.00	0.00
18	3+50.00	90.00	100.00	100.00	0.00	0.00
19	4+00.00	90.00	100.00	100.00	0.00	0.00
20	4+10.00	90.00	100.00	100.00	0.00	0.00
21	4+20.00	90.00	100.00	100.00	0.00	0.00
22	4+30.00	90.00	100.00	100.00	0.00	0.00
23	4+40.00	90.00	100.00	100.00	0.00	0.00
24	4+50.00	90.00	100.00	100.00	0.00	0.00
25	5+00.00	90.00	100.00	100.00	0.00	0.00
26	5+10.00	90.00	100.00	100.00	0.00	0.00
27	5+20.00	90.00	100.00	100.00	0.00	0.00
28	5+30.00	90.00	100.00	100.00	0.00	0.00
29	5+40.00	90.00	100.00	100.00	0.00	0.00
30	5+50.00	90.00	100.00	100.00	0.00	0.00

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

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

Joe R. Vrelok
 Vol. 2911, Pg. 178

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, the Plano Independent School District is the owner of a tract of land situated in the John Cahill Survey, Abstract No. 173, the Daniel Rowlett Survey, Abstract No. 738, and the Eli Smyler Survey, Abstract No. 857, City of Plano, Collin County, Texas, and being all of a tract of land conveyed to the Plano I.S.D. by deed recorded in Volume 4334, Page 2061, Deed Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for corner in the southeast line of Parker Road (a 110' R.O.W. at this point), said point being the northeast corner of said Plano I.S.D. tract, and the southwest corner of Lot 14, Block A, Stoney Hollow, Phase 4, an addition to the City of Plano as recorded in Cabinet K, Page 417, Plat Records of Collin County, Texas;

THENCE EAST, leaving Parker Road, and with the southerly line of said Stoney Hollow, Phase 4, a distance of 865.50 feet to a steel fence post found for corner;

THENCE S00°02'20"W, with an easterly line of said Stoney Hollow, Phase 4, a distance of 478.00 feet to a 1/2" capped iron found for corner in the north line of Ridgeway Lane (a 50' R.O.W.);

THENCE N89°27'40"W, with the north line of Ridgeway Lane, a distance of 273.16 feet to a 1/2" capped iron found for corner and the beginning of a curve to the left having a central angle of 39°08'09", a radius of 320.40 feet, a tangent length of 113.89 feet, and a chord bearing S70°28'16"W, 214.62 feet;

THENCE in a southeasterly direction along said curve to the left, and with the north line of Ridgeway Lane, an arc distance of 218.85 feet to a 1/2" capped iron found for corner and the end of said curve;

THENCE S50°54'11"W, with the north line of Ridgeway Lane, a distance of 302.20 feet to a 1/2" capped iron found for corner in the northeast line of San Gabriel Drive (a variable width R.O.W. at this point);

THENCE N00°01'40"W, a distance of 7.62 feet to a 1/2" capped iron found for corner;

THENCE N52°46'40"W, with the northeast line of San Gabriel Drive, a distance of 452.88 feet to a 1/2" capped iron found for corner at the south end of a corner dip of the intersection of the southeast line of Parker Road;

THENCE N00°35'39"E, along said corner dip, a distance of 161.63 feet to a 5/8" capped iron found for corner and the beginning of a non-tangent curve to the left having a central angle of 21°44'11", a radius of 955.00 feet, a tangent length of 183.36 feet, and a chord bearing N34°25'22"E, 360.13 feet;

THENCE in a northeasterly direction along said curve to the left, and with the southeast line of Parker Road, an arc distance of 362.30 feet to the POINT OF BEGINNING and CONTAINING 562,806 square feet, or 12,920 acres of land.

BASES OF BEARINGS:

The bearings shown are based on the Special Warranty Deed to Plano I.S.D. as recorded in County Clerk's File Number 2007-042200956910, North line due East.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

Witness my hand this _____ day of _____, 2009.

Plano Independent School District

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN under my hand and seal of office this _____ day of _____, 2009.

Notary Public in and for
the State of Texas

CERTIFICATE OF APPROVAL

APPROVED this _____ day of _____, 2009,
by the Planning and Zoning Commission, City of Plano, Texas.

Chairman, Planning and Zoning Commission

STATE OF TEXAS
COUNTY OF COLLIN

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

Given under my hand and seal of office this _____ day of _____, 2009.

Notary Public in and for
the State of Texas

Secretary, Planning & Zoning Commission
Or City Engineer

STATE OF TEXAS
COUNTY OF COLLIN

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

Given under my hand and seal of office this _____ day of _____, 2009.

Notary Public in and for
the State of Texas

SURVEYOR'S CERTIFICATE

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



David J. Surdukan
Registration No. 4613

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN under my hand and seal of office, this _____ day of _____, 2009.

Notary Public in and for
the State of Texas

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

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

SHEET 3 OF 3
FINAL PLAT

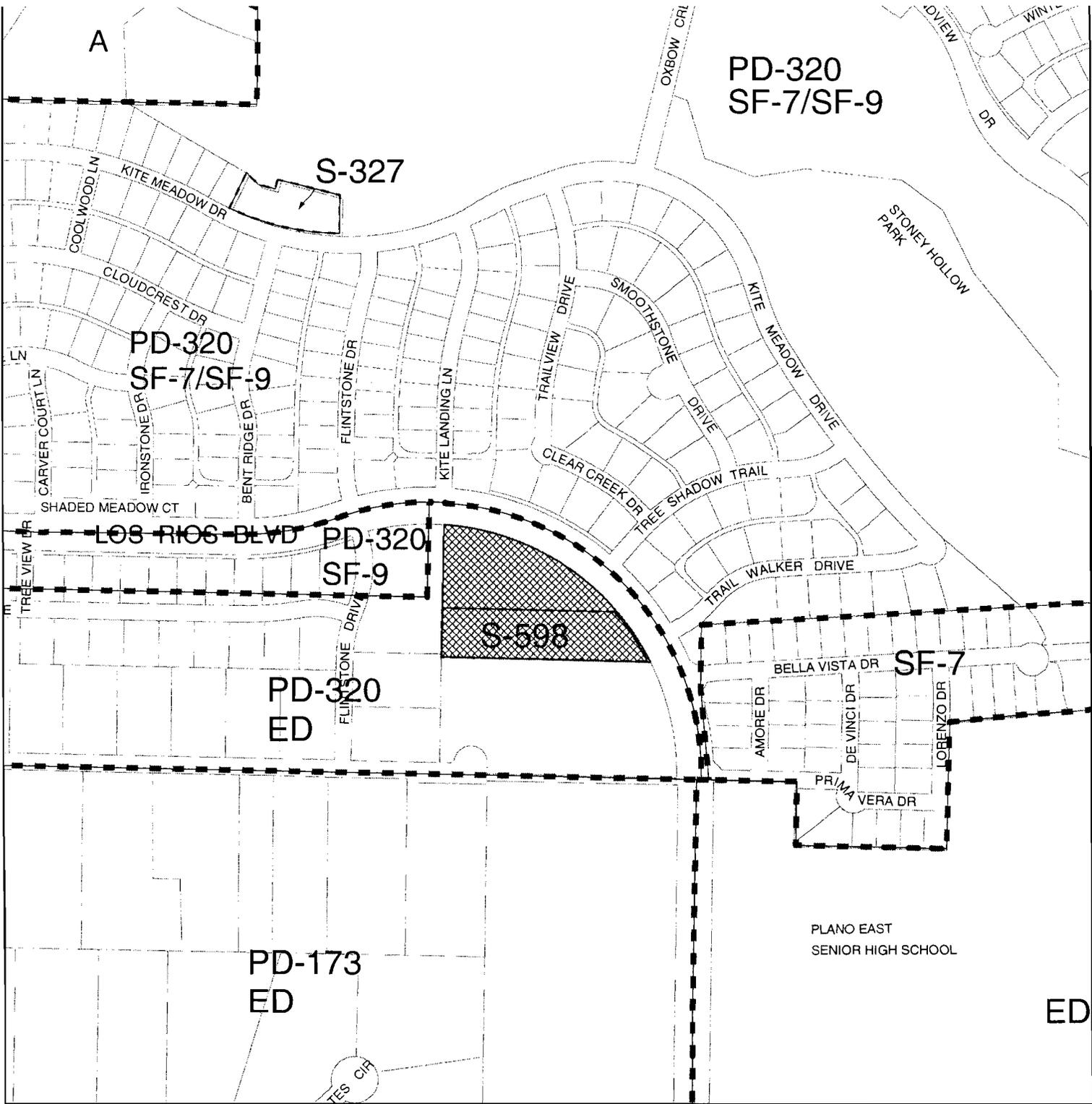
**PARKER ROAD
EARLY CHILDHOOD SCHOOL**
LOT 1, BLOCK A

12.920 Acres Situated in The
JOHN CAHILL SURVEY ~ ABST. 173
DANIEL ROWLETT SURVEY ~ ABST. 738
ELI SMYLER SURVEY ~ ABST. 857
PLANO, COLLIN COUNTY, TEXAS

DRAWN
Plano Independent School District
8620 Anna Grove
Plano, Texas 75023
Telephone 469 752-1180

ENGINEER
HLK Engineering, Inc.
111 West Anna Street
Allen, Texas 75013
Telephone 972 399-1332

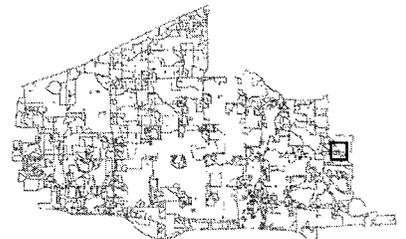
SURVEYOR
Surdukan Surveying Inc.
13801 CR 460
Anna, Texas 75409
Telephone 972 824-8200



Item Submitted: PRELIMINARY PLAT

Title: HINCKLEY ADDITION
BLOCK A, LOT 2

Zoning: PLANNED DEVELOPMENT-320-ESTATE DEVELOPMENT
w/SPECIFIC USE PERMIT #598



○ 200' Notification Buffer



STATE OF TEXAS
COUNTY OF COLLIN

OWNER'S CERTIFICATE

WHEREAS HBMA, LLC IS THE OWNER OF A TRACT OF LAND IN THE CHARLES F.M. GOODERIN SURVEY ABSTRACT NO. 583, COLLIN COUNTY, TEXAS, BEING ALL OF LOT 2, BLOCK 4 OF HINCKLEY ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8, PAGE 501, PLAT RECORDS, COLLIN COUNTY, TEXAS, AS RECORDED IN INSTRUMENT NO. 20081121001338446, DEED RECORDS, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/4" IRON ROD FOUND FOR CORNER IN THE SOUTHERLY, RADIAL LINE OF LOS ROSES BOULEVARD, A 110 FOOT WIDE PUBLIC RIGHT-OF-WAY, AT THE NORTHEAST CORNER OF LOT 1, BLOCK 6 OF STONEY HOLLOW, PHASE FOUR, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8, PAGE 417, PLAT RECORDS, COLLIN COUNTY, TEXAS, SAME BEING THE MOST NORTHERLY CORNER OF SAID LOT 2, BLOCK 4 AND BEING IN A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 89°07'00", A RADIUS OF 1648 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 87°06'34" EAST, 73.43 FEET, FROM WHICH CITY OF PLANO D.P.S. MONUMENT NO. 133 BEARS NORTH 82°27'41" WEST, A DISTANCE OF 2,711.93 FEET;

THENCE SOUTHEASTERLY, ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 786.86 FEET TO A 1" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 1, BLOCK 4 OF SAID HINCKLEY ADDITION, SAME BEING THE MOST EASTERLY CORNER OF SAID LOT 2, BLOCK 4;

THENCE NORTH 85°48'39" WEST, A DISTANCE OF 614.45 FEET TO A 1/2" IRON ROD FOUND FOR CORNER IN THE EAST LINE OF LOT 2 OF SAID BLOCK 4, STONEY HOLLOW, PHASE FOUR, SAME BEING THE NORTHWEST CORNER OF SAID LOT 1 AND THE SOUTHWEST CORNER OF SAID LOT 2 OF SAID BLOCK 4

THENCE NORTH 08°10'30" EAST, A DISTANCE OF 387.25 FEET TO THE PLACE OF BEGINNING AND CONTAINING 171.00 SQUARE FEET OR 3/25 ACRES OF LAND

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF PLANO

OWNER'S DEDICATION

Now, therefore, known all men these presents

That HBMA, LLC, acting herein by and through its duly authorized officer, Bruce Klina, does adopt this plat designating the hereinafore described property as HINCKLEY ADDITION, an addition to City of Plano, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown hereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Plano. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Plano use thereof. The City of Plano and public utility entities have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Plano and public utility entities do or shall in all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, maintaining, or repairing their systems without the necessity of any other special permission from anyone.

Access Easements

The undersigned owners and agree that the access easement(s) may be utilized by any person of the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for the Fire Department, Police and emergency use in along, upon and across said premises, with the right and privilege at all times of the City of Plano, its agents, employees, contractors and representatives having ingress, egress, and ingress in, along, upon and across said premises.

Fire Lane Easements

The undersigned owners and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface paved in accordance with City standards and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking, loading, or unloading of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of pavement in accordance to City standards of the fire lane easements is the responsibility of the owner, and the owner shall erect and maintain signage in accordance to City standards in conspicuous places along the fire lanes, reading "Fire Lane, No Parking". The public or its duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

VAM Easements

The area or areas shown on the plat as "VAM" (Viability, Access, and Maintenance) easement(s) are hereby given and granted to the city, its successors and assigns, as an easement to provide viability, right of access, and maintenance upon and across said VAM easement. The city shall have the right, but not the obligation, to maintain any and all landscaping within the VAM easement. Should the city exercise its maintenance right, it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any tree, shrubs, flowers, ground cover, and flowers. The city may withhold maintenance of the VAM easement of any time. The ultimate easement as responsibility for the VAM easement shall rest with the owner. No building, fence, shrub, tree, or other improvement or growth, which in any way endangers or interferes with the viability, shall be constructed in, on, over, or across the VAM easement. The city shall also have the right, but not the obligation, to add any landscape improvements to the VAM easement, to erect any profit control devices or signs on the VAM easement, and to remove any obstruction thereon. The city, its successors, assigns, or agents, shall have the right and privilege at all times to enter upon the VAM easement or any part thereof for the purpose and with all rights and privileges set forth herein.

This plat is approved subject to all pending ordinances, regulations and resolutions of the City of Plano, Texas

Witness my hand this the ___ day of _____, 2008.

Bruce Klina, Owner

Printed name and title

STATE OF TEXAS
COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

Before me, the undersigned, a Notary Public in and for said county and state, on this day personally appeared Bruce Klina, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations herein expressed.

Given under my hand and seal of office this ___ day of _____, 2008.

Notary Public in and for The State of Texas

STATE OF TEXAS
COUNTY OF COLLIN

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, John B. Turner, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Plano, Texas

John B. Turner, R.P.L.S. 5310

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned, a Notary Public in and for said county and state on this day personally appeared John B. Turner, R.P.L.S. No. 5310, State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations herein expressed.

Given under my hand and seal of office this ___ day of _____, 2008.

Notary Public in and for The State of Texas

CERTIFICATE OF APPROVAL

APPROVED on this the ___ day of _____, 2008, by the Planning & Zoning Commission, City of Plano, Texas

Chairman, Planning & Zoning Commission

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF _____, 2008

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Secretary, Planning & Zoning Commission or City Engineer

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF _____, 2008

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Analytical Surveys, Inc.
"Registered Professional Land Surveyors"
707 Gay Street
Dallas, Texas 75241
(817) 372-8407 Fax
John B. Turner, R.P.L.S. 5310
www.analytical.com
Owner: HBMA, LLC - 2008 Sherman Oaks, Plano, Texas 75023 (972) 425-8792
Mailing: 43067281, Denton, TX (940) 262-7300 (Outside US/Canada)
A professional company operating in your best interest

PRELIMINARY PLAT
HINCKLEY ADDITION
LOT 2, BLOCK 4
171,000 SQUARE FEET OR
3.826 ACRES OF LAND
A PORTION OF
HINCKLEY ADDITION, CONVEYANCE PLAT, LOT 2, BLOCK 4
VOLUME 8, PAGE 501 - 508 C.C.T.
CHARLES F.M. GOODERIN SURVEY
ABSTRACT NO. 583
CITY OF PLANO, COLLIN COUNTY, TEXAS
Preparation Date: 04-23-08

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 6

Public Hearing: Zoning Case 2008-74

Applicant: City of Plano

DESCRIPTION:

Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), and Subsection 3.102 (Day Care Centers) of Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding day care centers.

REMARKS:

On April 20, 2009, the Planning & Zoning Commission considered proposed amendments to the Zoning Ordinance pertaining to day care center regulations including definitions, supplementary regulations, and schedule of permitted uses (use charts). In addition to local regulations, day care standards and licensing are regulated by Texas statutes. However, differences exist between local and state day care center definitions and regulations. In its assessment of Plano's zoning and development regulations, Duncan Associates recommended that Plano "clean up the supplementary regulations" as a top priority. Therefore the Commission directed staff to develop regulations for day care centers consistent with the information presented for discussion and direction.

The proposed amendments to the Zoning Ordinance pertaining to day care centers consist of the following:

- Revise definitions for "day care center," "day care center (in-home)," and create a new use definition for "day care center (accessory)."
- Allow day care center use by right in certain nonresidential districts without a specific use permit.

- Allow day care center (in-home) by right in all residential districts, except that care for nine or more children will still require approval of a specific use permit.
- Allow day care center (accessory) by right or with a specific use permit in multifamily residential and nonresidential zoning districts.
- Clean up the confusion, differences, and potential conflicts within the city's standards, as well as conflicts between the city's and state's requirements.

Some of the challenges associated with the city's regulations and the state's regulations are that the city's definitions for day care centers are not consistent with the state's definitions pertaining to various types of day care center operations, the minimum number of children that define a day care operation, as well as the types of services provided. The state is also considering legislation at this time that could help better classify or define tutoring business as to whether these businesses are day care centers or not. Staff has typically classified these operations as a business service use and not a day care center.

Another example of conflicting regulations between the city and state pertains to outdoor play space requirements. The city's minimum square footage per child (65 square feet) is less than the state's requirement (80 square feet). However, the city's requirements are based upon the total enrollment and presuming that all children will be out on the play ground at one time; whereas, the state recognizes that not all children will be on the playground at one time, and allows a lesser outdoor play area size.

RECOMMENDATION:

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

1. Amend Section 1.600 (Definitions) of Article 1 (General Regulations) to revise definitions for day care center and day care center (in home), and create a new definition for day care center (accessory) use:

- a. Day care center:

~~A facility providing care, training, education, custody, treatment, or supervision for 13 or more children for less than 24 hours per day. The term "day care center" shall not include overnight lodging, medical treatment, counseling, or rehabilitative services and does not apply to any school. (See Subsection 3.102.) (Ordinance No. 93-10-32)~~

An operation other than public, parochial, or private school providing care for seven or more children under 14 years old for less than 24 hours per day at a location other than a residence.

b. Day care center (in home):

~~Allowed as a home occupation (refer to Subsection 3.110) in the caretaker's residence under these three options. (Ordinance No. 94-1-19)~~

- ~~1. Provides care for less than 24 hours a day to no more than 6 children under the age of 14, plus no more than 6 additional elementary school age children (age 5 to 13). The total number of children (counting the caretaker's own children) is no more than 12 at any time. Registration with the Texas Department of Protective and Regulatory Services is required, unless exempted by State law.~~
- ~~2. Provides care for less than 24 hours a day for 7 to 12 children (including the caretaker's and staff's children) under the age of 14. A license from the Texas Department of Protective and Regulatory Services is required. Care provided to 9 or more children that does not comply with Option 1 requires a specific use permit.~~
- ~~3. All group day care homes which were licensed by the State of Texas or had a license application pending on or before October 25, 1993, are considered to be a legal use in residential districts and will not require specific use permit approval as long as a valid license is maintained for the operation in its original location and it provides care for less than 24 hours a day for no more than 12 children (including the caretaker's and staff's children) under the age of 14.~~

An operation providing care in the caretaker's residence for less than 24 hours a day for up to 12 children under the age of 14, provided that the total number of children, including the caretaker's own children, is no more than 12 at any time.

c. Day care center (accessory):

Accessory day care center is an accessory use providing care for children of employees, customers, or patrons of the principal use. The center shall be completely contained within the primary use and shall not constitute more than 15% of the area of the principal use.

2. Amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) allowing day care centers by right or with specific use permit, and adding End Note number 42 as follows:

Residential Zoning Districts

Permitted Uses	Category	A - Agricultural	ED - Estate Development	SF-20 - Single-Family-20	SF-9 - Single-Family-9	SF-7 - Single-Family-7	SF-6 - Single-Family-6	2F - Two-Family (Duplex)	PH - Patio Home	SF-A - Single-Family Attached	MH - Mobile Home	MF-1 - Multifamily-1	MF-2 - Multifamily-2	MF-3 - Multifamily-3	GR - General Residential	UR - Urban Residential
Day Care Center	Service	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S
Day Care Center (In-home)	Service	<u>P</u> 42	<u>P</u> 42	<u>P</u> 42	<u>P</u> 42	<u>P</u> 42	<u>P</u> 42	<u>P</u> 42	<u>P</u> 42	<u>P</u> 42	P	P	P	P	<u>P</u> 42	<u>P</u> 42
<u>Day Care Center (Accessory)</u>	<u>Service</u>											P	P	P		

End Note: 42 - See Subsection 3.102.2.c

Nonresidential Zoning Districts

Permitted Uses	Category	O-1 - Neighborhood Office	O-2 - General Office	R - Retail	BG - Downtown Business/Government	LC - Light Commercial	CE - Commercial Employment	CB-1 - Central Business-1	LI-1 - Light Industrial-1	LI-2 - Light Industrial-2	RE - Regional Employment	RC - Regional Commercial	RT - Research/Technology Center	CC - Corridor Commercial
Day Care Center	Service	P	P	S	S	S	P	P	S	S	S	S	S	S
<u>Day Care Center (Accessory)</u>	<u>Service</u>	P	P	P	P	S	P	P	S	S	P	P	P	S

3. Amend Subsection 3.102 (Day Care Centers) of Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) as follows:

3.102 Day Care Centers, Day Care Centers (In-home), and Day Care Centers (Accessory)

~~Site plan approval by the Planning & Zoning Commission shall be required for all day care center sites, whether or not a specific use permit is required. Day care centers are a permitted use by right if operated by an organized church and within the building complex of said church. However, operation of day care facilities requires site plan approval and issuance of a Certificate of Occupancy for day care.~~

~~Day care centers located within any residential district except multifamily districts shall be required to plat in multiples of the minimum lot width of the district classification requirements. The lot depth shall meet the minimum requirements and in no case shall be approved in a configuration which could not, in the Planning & Zoning Commission's opinion, be converted into standard lots for residential development.~~

~~(1) Day care centers are permitted in nonresidential districts only when:~~

~~(a) The day care center is platted on an individual lot.~~

~~(b) The day care center is in a multi-occupant building with direct access to the exterior of the building. Direct access must be provided to the outdoor play space. The outdoor play space must be immediately adjacent and not separated from the day care center.~~

~~(c) The day care center is in an enclosed shopping mall exceeding 500,000 square feet of gross leasable area, provided the center shall be located within the interior of the mall, with no direct access to the exterior of the building. Day care shall be provided for less than four hours per day for an individual person within a mall day care center~~

~~(d) The day care center is located in an office structure or similar single-user structure with no direct access to the exterior of the building other than doorways connecting to outdoor play space as per building code requirements.~~

~~(e) The day care center is an accessory use which provides a service to employees, customers, or patrons of the principal use. A two-square-foot identification sign may be provided.~~

~~(f) The day care center is in an accessory building located on the same lot as the main building which provides a service to employees, customers, or patrons of the main building. A two-square-foot identification sign may be provided.~~

(21) All day care centers and day care centers (accessory) shall comply with the following standards:

~~(a) All passenger loading and unloading areas and outdoor play space shall be located so as to avoid conflict with vehicular traffic. Adequate walkways shall be provided.~~

(a) If required by the State of Texas, the day care center must be licensed or registered.

~~(b) Outdoor play space shall be provided at a rate of 65 square feet per child. This requirement shall be based on the maximum design capacity of the day care facility constructed. The outdoor play space shall have no dimension of less than 30 feet. This requirement may be waived by the Planning & Zoning Commission if the day care is provided for less than four hours per day for an individual person.~~

~~(c) In residential districts, a maximum of one-half of the required outdoor play space may be provided offsite in a public park. When off-premises outdoor play area is utilized, it must be located within 100 feet of the day care facility premises and safely accessible without crossing at grade any major or secondary thoroughfare.~~

~~(db) No day care center shall be part of a single-family or two-family dwelling.~~

(ec) A day care center shall abut and derive its primary access from a street with a pavement width of 36 feet or greater.

~~(f) As a general guideline, no portion of a day care center site should be located within 300 feet of gasoline pumps or underground gasoline storage tanks, or any other storage area for explosive materials.~~

(3) Day care center (in-home) is allowed as a home occupation (refer to Subsection 3.110) in the caretaker's residence subject to:

(a) If required by the State of Texas, the day care center must be licensed or registered.

(b) Care provided to eight or fewer children is allowed by right.

(c) Care provided to nine or more children is allowed with approval of a specific use permit.

All group day care homes which were licensed by the State of Texas or had a license application pending on or before October 25, 1993, are considered to be a legal use in residential districts and will not require specific use permit approval as long as a valid license is maintained for the operation in its original location and it provides care for less than 24 hours a day for no more than 12 children (including the caretaker's and staff's children) under the age of 14.

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 7A

Public Hearing: Zoning Case 2009-08

Applicant: Racetrac Petroleum, Inc.

DESCRIPTION:

Request to amend Planned Development-109-Retail/General Office on 14.8± acres located at the southwest corner of Park Boulevard and Alma Drive to revise the concept plan adopted for this planned development district. Zoned Planned Development-109-Retail/General Office.

REMARKS:

The subject property is a 14.8± acre tract located at the southwest corner of Park Boulevard and Alma Drive. The site is undeveloped except for an existing convenience store with gas pumps facility situated on 1.8± acres located at the intersection of Park Boulevard and Alma Drive.

The applicant is proposing to amend Planned Development-109-Retail/General Office (PD-109-R/O-2). The R district is primarily intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls but not including wholesaling or warehousing. The O-2 district is intended to allow for a variety of low-, mid-, and high-rise office developments providing for professional, financial, medical, and similar services to local residents; corporate offices for regional and national operations; and major centers of employment for Plano and surrounding communities. A PD district provides the ability to amend use, height, setback, and other development standards at the time of zoning to promote innovative design and better development controls appropriate to both off and onsite conditions.

The applicant is proposing to amend PD-109-R/O-2 in order to modify the concept plan adopted by the PD. The approved concept plan adopted by PD-109-R/O-2 also shows the adjacent property to the south which is zoned Planned Development-60-General Office (PD-60-O-2); however, the concept plan is not adopted by PD-60-O-2. Therefore, PD-60-O-2 is not a part of the zoning request. The reason for the request is to increase the lot size of the existing convenience store with gas pumps facility located at the southwest corner of Park Boulevard and Alma Drive from 1.8± acres to 2.6±

acres in order to redevelop the site with a larger convenience store with gas pumps facility. The proposed increase in lot size is approximately 0.8± acre. Convenience stores with gas pumps facilities are allowed by right within PD-109-R/O-2. There are no other zoning amendments being requested.

The northeast corner of Park Boulevard and Alma Drive is zoned Planned Development-67-Multifamily Residence-2. Although the proposed convenience store with gas pumps facility is located within 300 feet of this residential zoning district, the site is exempt from residential adjacency standards because the uses are separated by two Type C thoroughfares, Park Boulevard and Alma Drive. A revised concept plan, Park & Alma Addition, Block A, Lot 2, and Collin Creek Corporate Center Block A, Lots 1R, 2, & 3 accompanies this request.

Conformance to the Comprehensive Plan

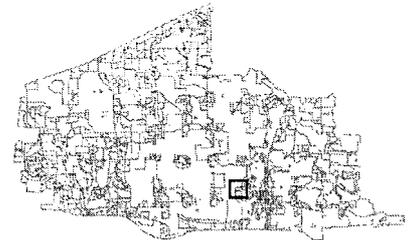
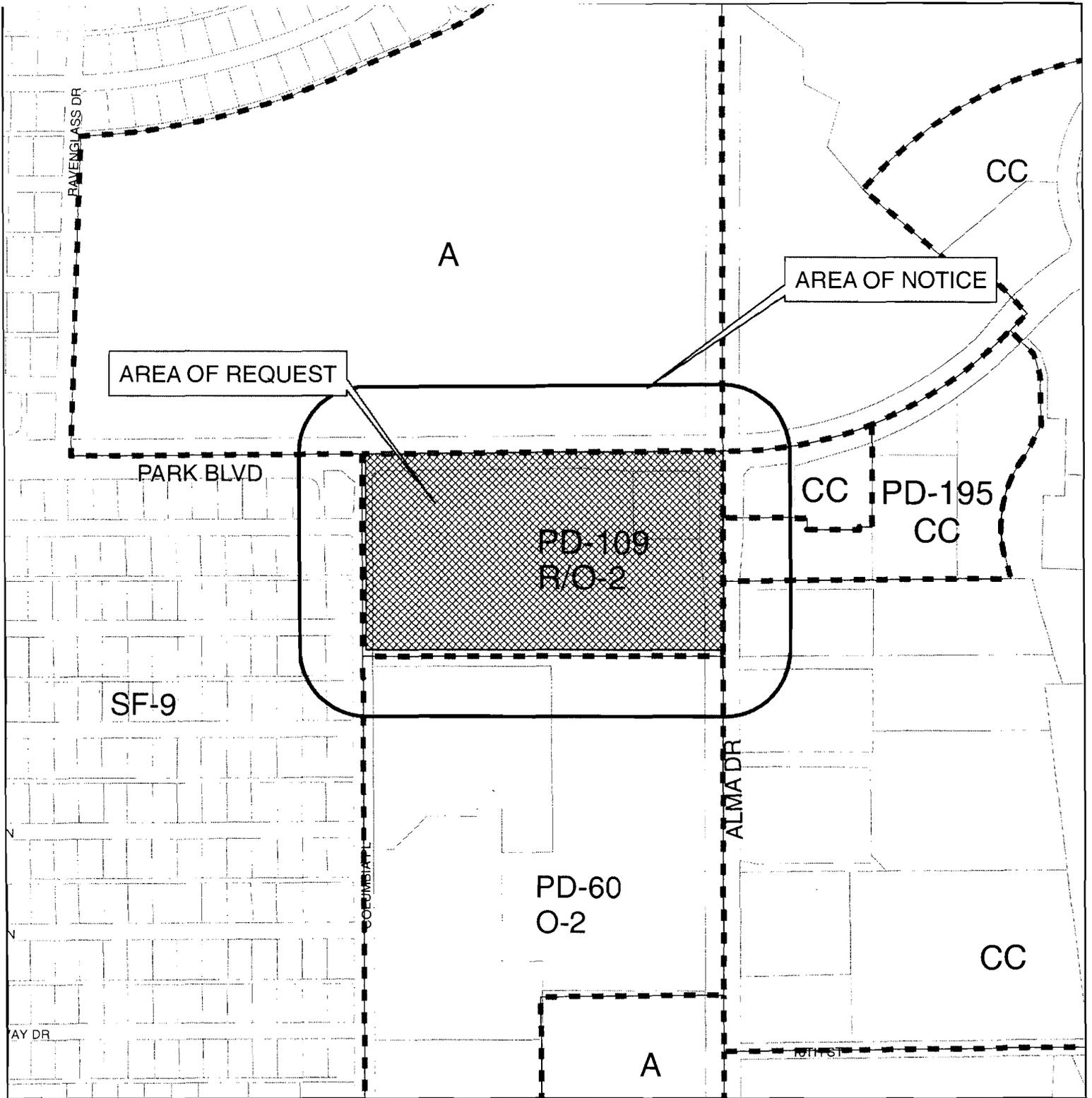
Future Land Use Plan - The future land use plan designates this property as Neighborhood Commercial, Low Intensity Office and Residential. The requested zoning is in conformance with the land use designations.

Adequacy of Public Facilities - Water and sanitary sewer services are available for existing developed sites. Water and sanitary sewer services are available to serve the undeveloped properties but will have to be extended.

Traffic Impact Analysis (TIA) - A TIA is not required for this zoning request since the applicant is not proposing to amend densities currently allowed by the existing zoning.

RECOMMENDATION:

Recommended for approval as submitted.

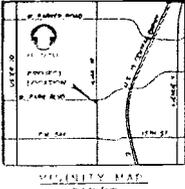
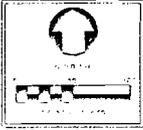


Zoning Case #: 2009-08

Existing Zoning: PLANNED DEVELOPMENT-109-RETAIL/GENERAL OFFICE



○ 200' Notification Buffer

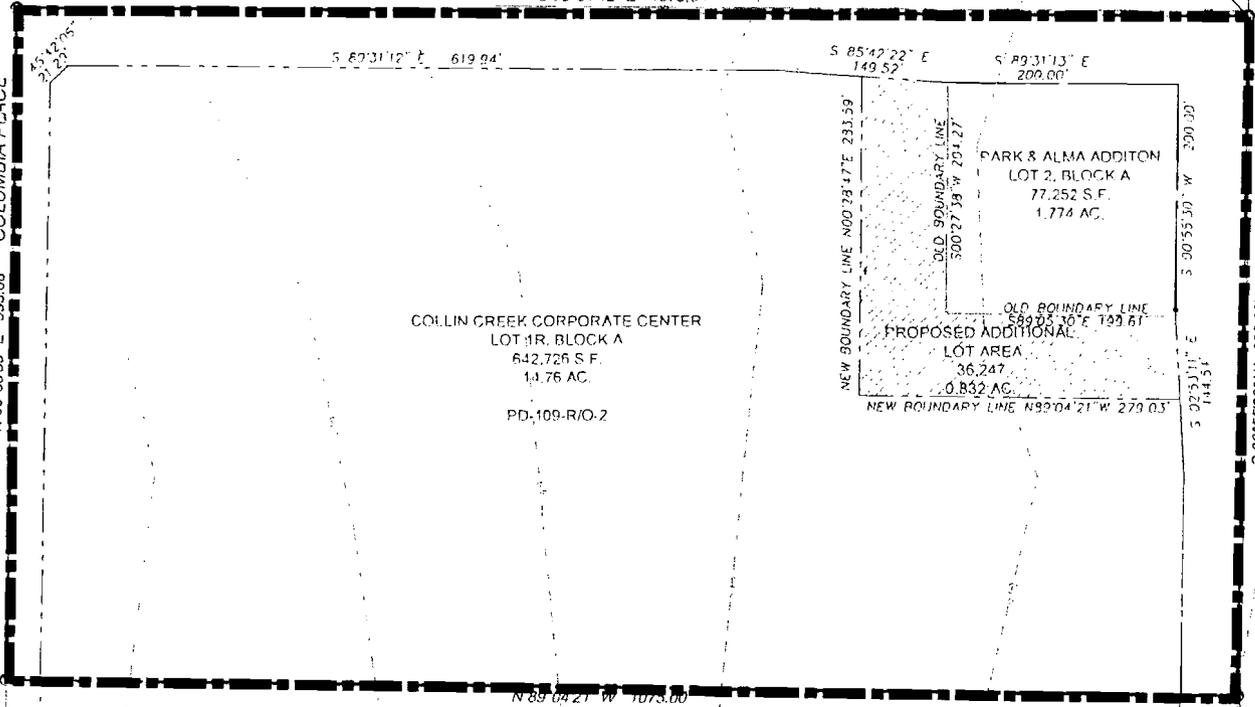


APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED DEVELOPMENT PLAN, APPROVAL OF THE DEVELOPER'S STANDARDS, OR APPROVAL OF THE NOTATION OF THE DEVELOPER'S FORMS. PLANNING & ZONING COMMISSION APPROVAL OF A DEVELOPMENT PLAN OR STANDARDS IS A SEPARATE ACTION. APPROVAL OF THIS PROJECT SHALL BE CONSIDERED AS AN ACTION SEPARATE FROM ANY OTHER ACTION TAKEN ON THIS ZONING CASE.

UNDEVELOPED
A
ZONING

POINT OF BEGINNING

PARK BLVD
0 00 31.72 E 1073.04



COLLIN CREEK CORPORATE CENTER
LOT 1R, BLOCK A
642,726 S.F.
14.76 AC.
PD-109-R/O-2

PARK & ALMA ADDITION
LOT 2, BLOCK A
77,252 S.F.
1.774 AC.

PROPOSED ADDITIONAL
LOT AREA
36,247
0.832 AC.

N 89°04'21" W 536.83'
COLLIN CREEK CORPORATE CENTER LOT 3, BLOCK A

PD-60-O-2
ZONING

ALMA DR
802.08' N 65°55'00" S

LOT 1, BLOCK A
CHILSOM PLACE
RETAIL NO. 1
CC ZONING

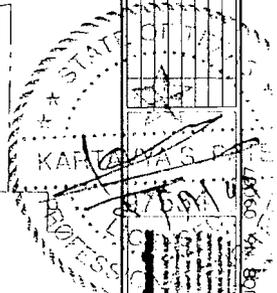
LOT 3R, BLOCK A
CHILSOM PLACE
RETAIL NO. 1
PD-195 CC ZONING

LOT 5, BLOCK A
HARRINGTON
CENTER
CC ZONING

ZONING CASE 2009-08

ZONING EXHIBIT
14.76 ACRES

1 QUINCY IN SW 1/4, JEFFERSON COUNTY, PROJECT NUMBER 14,
AND ALSO BEING IN THE CITY OF PLANO, COLLIN COUNTY, TEXAS
APRIL 14, 2009



Racetrac
3805 TEXAS EXPRESSWAY
SUITE 100
3449 P.O. BOX 38038
PLANO, TEXAS 75088-0383
770.431.7900



SURVEOR
ATTORNEY AT LAW
REGISTERED PROFESSIONAL ENGINEER
REGISTERED PROFESSIONAL SURVEYOR
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTERED PROFESSIONAL CIVIL ENGINEER
REGISTERED PROFESSIONAL ARCHITECT

REGISTERED ARCHITECT
REGISTERED PROFESSIONAL ENGINEER
REGISTERED PROFESSIONAL SURVEYOR
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTERED PROFESSIONAL CIVIL ENGINEER
REGISTERED PROFESSIONAL ARCHITECT

ENGINEER
REGISTERED PROFESSIONAL ENGINEER
REGISTERED PROFESSIONAL SURVEYOR
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTERED PROFESSIONAL CIVIL ENGINEER
REGISTERED PROFESSIONAL ARCHITECT

SP
SHEET NO. REV.

RECEIVED

MAY 05 2009

PLANNING DEPT.

REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2009-08. This is a request to amend Planned Development-90-Retail/General Office on 14.8± acres located at the southwest corner of Park Boulevard and Alma Drive. The requested zoning is to amend Planned Development-90-Retail/General Office. A concept plan has been adopted per the PD. The applicant is requesting to modify the concept plan in order to expand the property boundaries of an existing lot at the southwest corner of Park Boulevard and Alma Drive, for a proposed convenience store with gas pumps. There are no other changes being proposed.

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

X I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-08.

 I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-08.

This item will be heard on **May 18, 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.

1100 West Park Blvd.
Plano, Tx

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

John Toole
Name (Please Print)

[Signature]
Signature

Box 804 Celina, TX 75009
Address
(4000 Church St)

5-4-09
Date

EH

Friendship Oaks LTD
972-688-3457

RECEIVED
MAY 08 2009
PLANNING DEPT

REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2009-08. This is a request to amend Planned Development-90-Retail/General Office on 14.8± acres located at the southwest corner of Park Boulevard and Alma Drive. The requested zoning is to amend Planned Development-90-Retail/General Office. A concept plan has been adopted per the PD. The applicant is requesting to modify the concept plan in order to expand the property boundaries of an existing lot at the southwest corner of Park Boulevard and Alma Drive, for a proposed convenience store with gas pumps. There are no other changes being proposed.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-08.



I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-08.

This item will be heard on **May 18, 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.

SAFETY FOR MY FAMILY - WITH INCREASED TRAFFIC
& STRAYING PARKING ACROSS THE FIELD FROM MY PROPERTY
IT OPENS THE OPPORTUNITY FOR PREDATORS TO WATCH MY WIFE + CHILD.

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

KRISTIA HARRIS
Name (Please Print)

[Handwritten Signature]
Signature

1408 Sacramento Ter. Plano TX 75075
Address

4-27-09
Date

EH

REPLY FORM
RECEIVED
MAY 12 2009
PLANNING DEPT.

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



Dear Commissioners:

This letter is regarding Zoning Case 2009-08. This is a request to amend Planned Development-90-Retail/General Office on 14.8± acres located at the southwest corner of Park Boulevard and Alma Drive. The requested zoning is to amend Planned Development-90-Retail/General Office. A concept plan has been adopted per the PD. The applicant is requesting to modify the concept plan in order to expand the property boundaries of an existing lot at the southwest corner of Park Boulevard and Alma Drive, for a proposed convenience store with gas pumps. There are no other changes being proposed.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-08.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2009-08.

This item will be heard on **May 18, 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 convenience store w/ gas pumps could be open 24-hr + add to noise, in neighborhood + non-residential traffic possibly leading to an increase in crime.

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

PETER ENSCH
Name (Please Print)

Peter Ensich
Signature

1408 TAWAKONI LN, PLANO,
Address TX 75075

05/10/09
Date

EH

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 7B

Public Hearing - Revised Concept Plan: Park & Alma Addition, Block A, Lot 2, and Collin Creek Corporate Center, Block A, Lots 1R, 2, & 3

Applicant: Racetrac Petroleum, Inc.

DESCRIPTION:

Convenience store with gas pumps, office, and retail buildings on four lots on 37.7± acres located at the southwest corner of Park Boulevard and Alma Drive. Zoned Planned Development-109-Retail/General Office and Planned Development-60-General Office. Neighborhood #58.

REMARKS:

This revised concept plan is associated with Zoning Case 2009-08. The site is currently zoned Planned Development-109-Retail/General Office (PD-109-R/O-2) and Planned Development-60-General Office (PD-60-O-2). The approved concept plan is adopted by PD-109-R/O-2 and includes 14.8± acres, a portion of which is developed as an existing convenience store with gas pumps facility located at the southwest corner of Park Boulevard and Alma Drive. The area encompassed by PD-60-R/O-2 includes the remaining 22.9± acres, and a portion of it is developed as two existing office buildings. The approved concept plan is not adopted by PD-60-O-2; however, the original concept plan covered the entire 37.7± acres, which is the reason the concept plan is being revised with Zoning Case 2009-08.

The revised concept plan shows a convenience store with gas pumps facility on the southwest corner of Park Boulevard and Alma Drive, and office and retail buildings on the remainder of the property. The applicant is proposing to modify only a portion of the approved concept plan, specifically the property located at the southwest corner of Park Boulevard and Alma Drive which is located within PD-109-R/O-2.

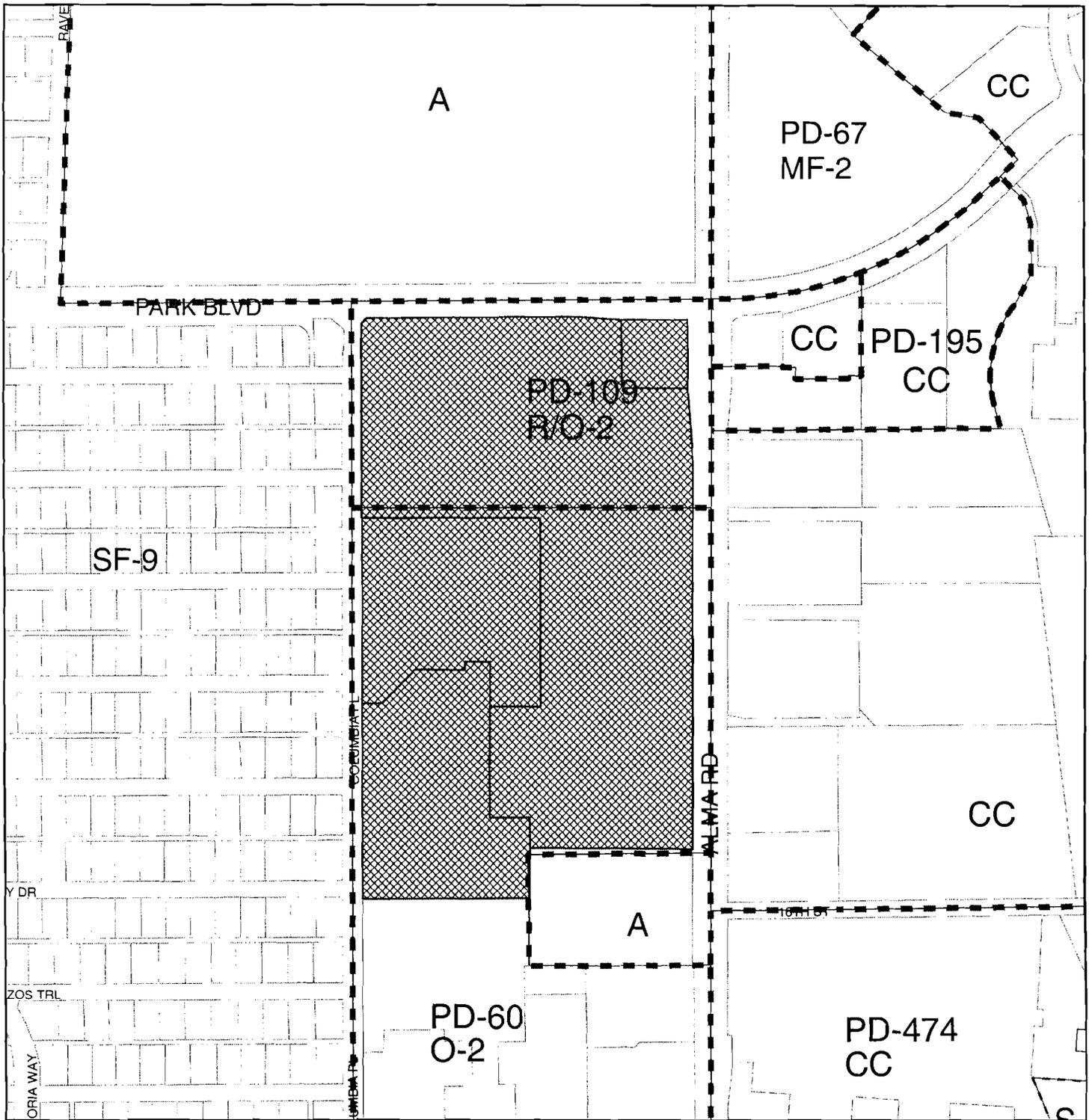
The revised concept plan differs only slightly from the approved concept plan currently adopted by the PD in that the applicant is proposing an increase in lot size for Park & Alma Addition, Block A, Lot 2 from 1.8± acres to 2.6± acres (a 0.8± acre increase). The applicant intends to redevelop the existing convenience store with gas pumps facility by

increasing the size of the existing lot and proposing a larger convenience store with gas pumps facility.

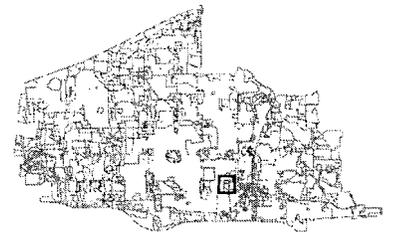
The proposed convenience store with gas pumps facility complies with required separation distances from residential zoning for fuel dispensing facilities. The remainder of the concept plan located within PD-109-R/O-2 and PD-60-O-2 has not been modified.

RECOMMENDATIONS:

Recommended for approval subject to City Council approval of Zoning Case 2009-08.



Item Submitted: REVISED CONCEPT PLAN

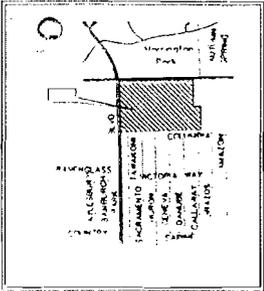


Title: PARK & ALMA ADDITION
 BLOCK A, LOT 2 &
 COLLIN CREEK CORPORATE CENTER
 BLOCK A, LOTS 1R, 2, & 3

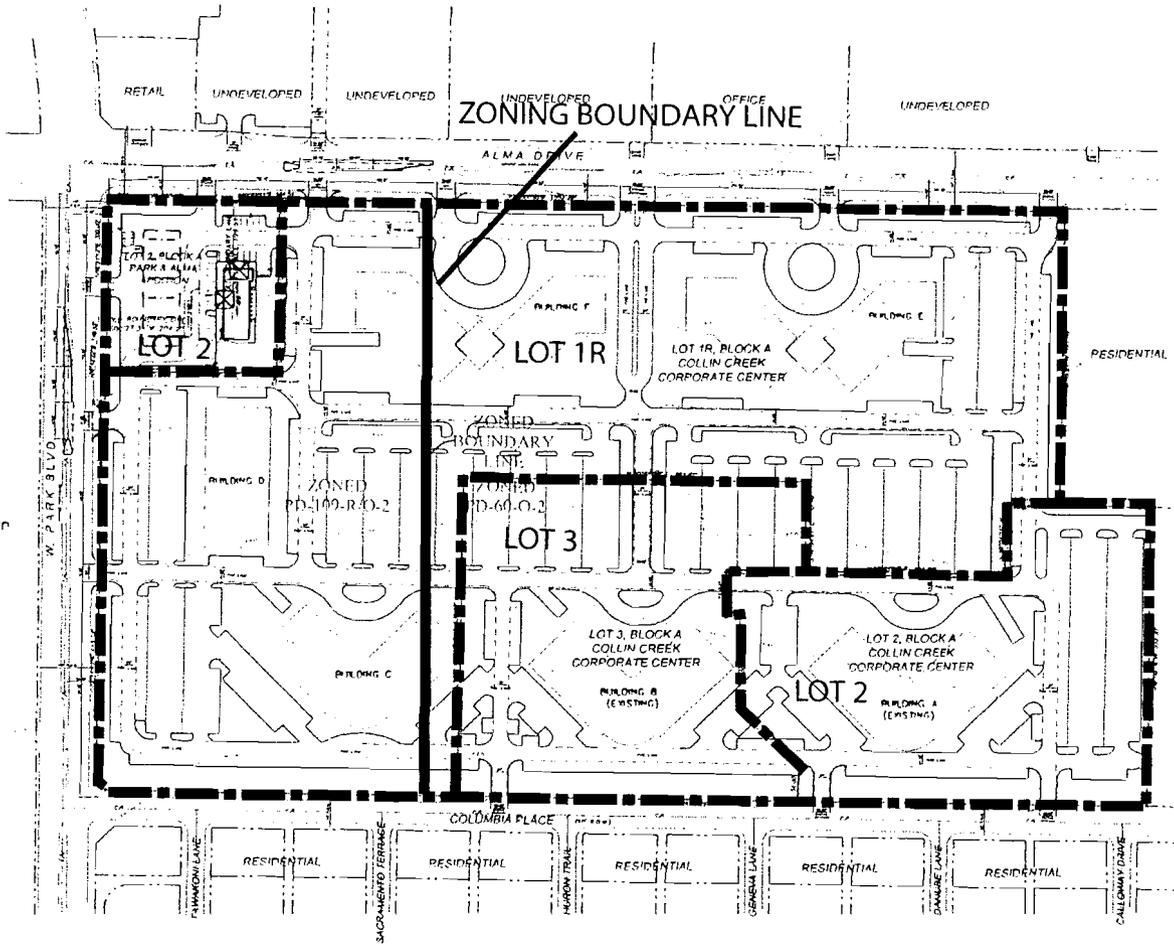
○ 200' Notification Buffer



Zoning: PLANNED DEVELOPMENT-109-RETAIL/GENERAL OFFICE &
 PLANNED DEVELOPMENT-60-GENERAL OFFICE



VICINITY MAP



PROPOSED PLANNED DEVELOPMENT DATA	
PROJECT NAME	COLLIN CREEK CORPORATE CENTER & ADDITION
OWNER	THE DIMENSION GROUP
PREPARED BY	PLANNING
DATE	03/11/09
SCALE	AS SHOWN

TOTAL SITE DATA TABLE	
LOT 2	11.00 ACRES
LOT 1R	11.00 ACRES
LOT 3	11.00 ACRES
LOT 2, BLOCK A	11.00 ACRES
TOTAL	44.00 ACRES

PARK & ALMA ADDITION LOT 2, BLOCK A DATA TABLE	
LOT 2	11.00 ACRES
LOT 2, BLOCK A	11.00 ACRES
TOTAL	22.00 ACRES

COLLIN CREEK CORPORATE CENTER LOT 1R, 2 & 3 DATA TABLE	
LOT 1R	11.00 ACRES
LOT 2	11.00 ACRES
LOT 3	11.00 ACRES
LOT 2, BLOCK A	11.00 ACRES
TOTAL	44.00 ACRES

CITY APPROVALS

REVISIONS

REVISOR

DATE

DESCRIPTION

SUBMITTED BY:

DIMENSION GROUP

TEL: 214-343-8400 FAX: 214-341-8000

10755 SANDHILL ROAD, DALLAS, TEXAS 75238

OWNER:

CELESTRA PETROLEUM, INC.

7725 CLAYBANK BLVD. SUITE 100

PLANO, TEXAS 75075

CONTACT: AARON JAMES 770-431-7400

PROJECT NO. 02009

DATE: 03/11/09

DRAWN BY: [Signature]

CHECKED BY: [Signature]

SHEET NUMBER: 51

THESE PLANS AND INSTRUMENTS OF PROFESSIONAL SERVICE ARE PREPARED BY ENGINEERS, ARCHITECTS, SURVEYORS AND OTHER REGISTERED PROFESSIONALS WHOSE LICENSES ARE VALID AND WHOSE SIGNATURES ARE REQUIRED BY LAW. THESE PLANS AND INSTRUMENTS OF PROFESSIONAL SERVICE ARE NOT TO BE REPRODUCED OR USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF THE DIMENSION GROUP.

No.	DATE	REVISION / DESCRIPTION	BY	No.	DATE	REVISION / DESCRIPTION	BY



PROJECT INFO

COLLIN CREEK CORPORATE CENTER

PLANO, TEXAS

DRAWING INFO

REVISED CONCEPT PLAN

NOTE: THE DIMENSION GROUP HAS BEEN ADVISED BY THE CITY OF PLANO THAT THE CITY OF PLANO HAS A ZONING BOUNDARY LINE THAT AFFECTS THE PROJECT. THE CITY OF PLANO HAS A ZONING BOUNDARY LINE THAT AFFECTS THE PROJECT.

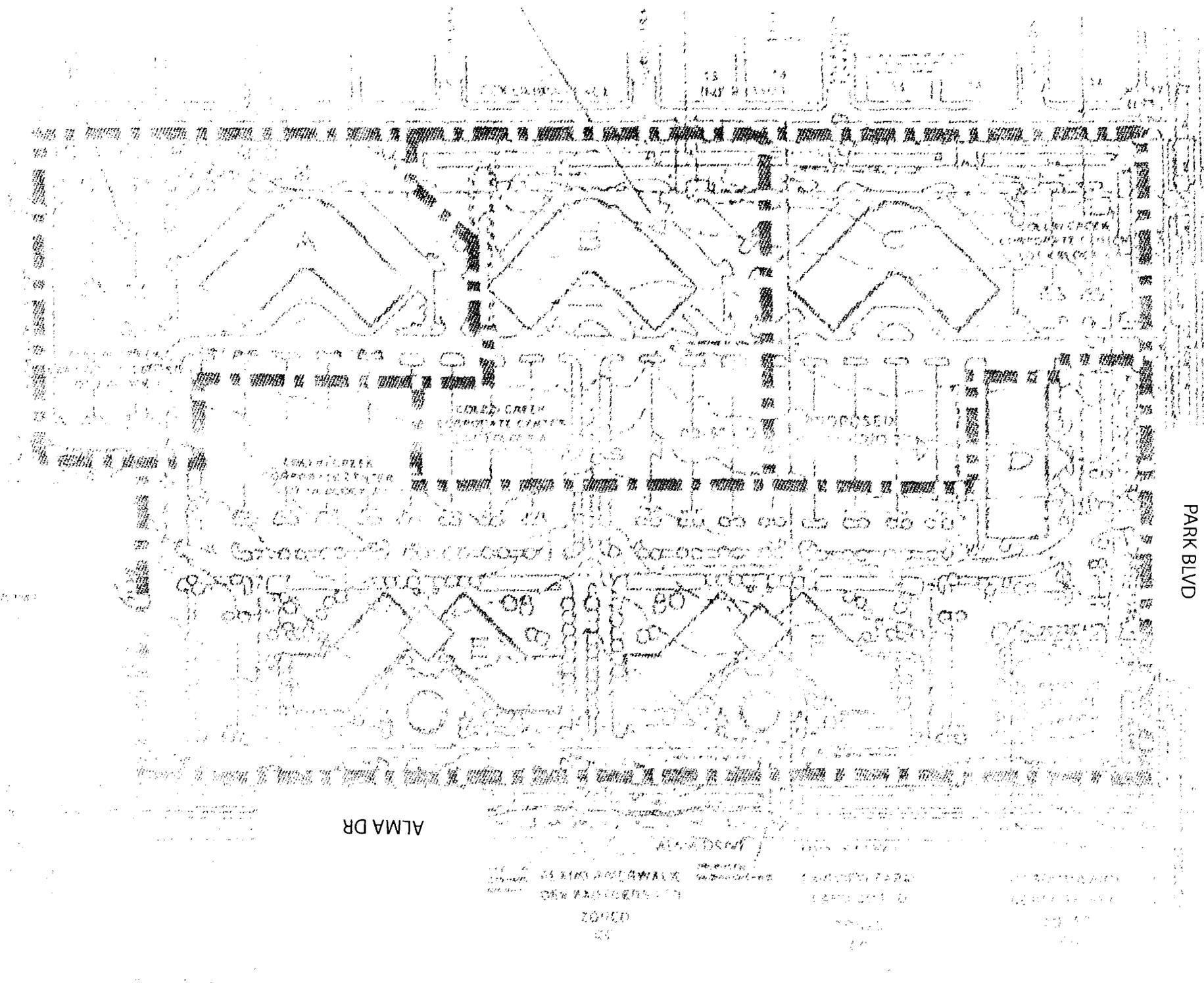
PREVIOUSLY APPROVED CONCEPT PLAN

PARK BLVD

ALMA DR

PROJECT NO. 15-0000000-0000
 DATE: 03/15/2015
 DRAWN BY: [illegible]
 CHECKED BY: [illegible]
 APPROVED BY: [illegible]
 SCALE: 1" = 40'

CONCEPT PLAN



CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda No. 8

Public Hearing: Zoning Case 2009-09

Applicant: City of Plano

DESCRIPTION:

Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations), Section 6.200 (Board of Adjustments) of Article 6 (Procedures and Administration) and related sections of the Zoning Ordinance to amend regulations for household care facilities, rehabilitation care facilities, and boarding houses; establish definitions for household, boarding houses, and permitted uses and standards; and to establish a process for reasonable accommodation of housing for persons with disabilities.

REMARKS:

The Zoning Ordinance contains regulations for household care and rehabilitation care facilities and institutions. These regulations need to be updated to conform to the requirements of federal and state law as well as fair housing laws and the Americans with Disabilities Act that offer protection to unrelated disabled individuals living as a single housekeeping unit, with or without support staff. Issues generally center on how many unrelated people can live together in single-family houses.

The Planning & Zoning Commission called a public hearing and directed staff to develop ordinance amendments that address several areas of regulation for special housing types, including creating a definition for "household" and amending the definitions and regulations for household and rehabilitation care facilities and boarding houses. Another part of this effort includes creating a reasonable accommodation process for a case-by-case consideration of requests for housing for the disabled that do not comply with the regulations.

The proposed changes were presented to the Plano Homeowners Council at its meeting on May 7, 2009. Attendees expressed concern about the effects that these

housing arrangements may have on neighborhoods and the fact that many are operated as businesses in residential districts.

Current Regulations

Household care facilities and institutions provide housing for persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster, or financial setbacks, living together with not more than two caregivers as a single housekeeping units. If required, household care facilities and institutions must have appropriate licensing and/or registration by the State of Texas. Household care facilities are allowed by right in single-family districts if they have six or fewer residents. A household care institution has more than six residents and may be allowed only by specific use permit (SUP) in the Multifamily Residence-1, Multifamily Residence-2 and Multifamily Residence-3 districts. Some, but not all, household care facilities and institutions are operated by non-profit groups.

Rehabilitation care facilities and institutions provide housing for persons regardless of legal relationship who have demonstrated a tendency towards alcoholism, drug abuse, mental illness, or antisocial or criminal conduct living together with not more than two supervisory personnel as a single housekeeping unit. Household care facilities are allowed in single-family districts by right with six or fewer residents; rehabilitation care facilities are allowed in single-family districts with an SUP with nine or fewer residents. The larger institutions, with more residents, are allowed in various commercial zoning districts. A rehabilitation care institution has more than nine residents and may be allowed by SUP in the Office-1 and Office-2 districts and by right in the Commercial Employment zoning district.

Boarding/rooming houses are residences other than a hotel where lodging and/or meals for four or more persons are provided for compensation. Boarding/rooming houses are allowed in the Office-2, Downtown/Business Government and Light Commercial zoning districts by right.

Plano's ordinance does not presently include a definition of family or household, although single-family zoning districts are restricted to occupancy by one family per lot. However, defining "family" or "household" is a difficult task given the complex makeup of today's families and living arrangements and frequent litigation over cities' attempts to define and regulate occupancy through family definitions. In response to these challenges, the city deleted its definition of family in the Zoning Ordinance several years ago, and has chosen to regulate occupancy through minimum square footage and other occupancy codes. However, a definition of household is necessary if the Commission wishes to distinguish between different types of residential facilities. A definition for household may also assist in addressing concerns about overcrowded housing in the city.

ISSUES FOR CONSIDERATION:

State Law Requirements

The State of Texas licenses and/or registers several types of residential care facilities, including community homes for the disabled, boarding houses, and assisted living facilities. Statutes require that cities allow community homes for the disabled in all residential districts by right if the home has no more than six residents and two live-in caretakers. Plano's present regulations are based on this requirement. The statutes governing community homes for the disabled, however, specify a more limited list of protected disabilities than federal standards and apply only to homes operated by certain agencies or permit holders. The state requires a certain square footage of living and sleeping space for each resident and other minimum fire, life safety, and food preparation standards for care must be met.

Classification of Recovering Addicts

Addiction has been generally considered a disability by the courts, and facilities for recovering addicts should generally be regulated in the same manner as those for other persons with disabilities. Current abusers of illegal drugs or alcohol do not enjoy this protection. An amended ordinance should address this change in the definition of disability.

Fair Housing Act and Americans with Disability Act

The federal Fair Housing Act and Americans with Disability Act prohibit discrimination against persons with disabilities and families with children. Cities must make reasonable accommodations to allow housing for persons with disabilities in various settings, regardless of relationship. The Fair Housing Act prohibits special permits, specific use permits, deed restrictions, and regulations that would limit a person or persons with disabilities from living in a residential setting of their choice if similar permits would not be required for persons without disabilities. Cities must be cautious in applying any type of regulation that would not also apply to an unrelated or related household without disabilities. There are numerous court cases in which attempts by cities to limit the number of residents, apply spacing requirements, and otherwise limit the presence of group facilities for the disabled in single-family districts have been ruled as discriminatory, although some cities' ordinances and processes have been upheld. If a city's regulations, like Plano's, cap the number of disabled residents, a process must be established to allow the reasonable accommodation for more residents on a case-by-case basis.

Definition of Family

Plano's ordinance does not presently include a definition of family or household, although single-family zoning districts are restricted to occupancy by one family per lot. However, defining "family" or "household" is a difficult task given the complex makeup of today's families and frequent litigation on cities' attempts to define and regulate occupancy by trying to define family. In response to these challenges, the city deleted

its definition of family in the Zoning Ordinance several years ago, and has chosen to regulate occupancy through minimum square footage and other occupancy codes.

Other Living Arrangements

There are a number of living arrangements that are usually not fully addressed by zoning ordinances, including boarding houses, halfway houses for parolees, worker housing, etc.

PROPOSED AMENDMENTS:

To fully address these issues, a number of ordinance changes are proposed to accomplish the following: not placing more restrictive requirements on housing for the persons with disabilities than on other households; providing the same protections for recovering addicts and the mentally ill as for other persons with physical disabilities; developing a process for reasonable accommodation for more residents with disabilities on a case-by-case basis; distinguishing between boarding houses and rehabilitation care facilities for parolees or probationers and other living arrangements; and incidental amendments to the use charts, definitions, and other sections of the Zoning Ordinance that may be necessary.

The proposed amendments to various sections of the Zoning Ordinance are below. New language is underlined; deleted language is indicated by a strikethrough.

Definitions

(Section 1.600)

Assisted Living Facility - A development building or buildings, other than a single-family dwelling, designed and staffed to provide housing for residents who require some type of support for daily living, such as assistance for bathing, dressing, medication, meal preparation, or other functions. In addition to housing, this type of facility may also provide convenience services such as meals, housekeeping, transportation and community facilities such as central dining rooms and activity rooms. **(Revised Definition)**

Boarding/Rooming House - A residence structure, other than a excluding hotels, motels and multi-family dwellings, where lodging and/or meals for four or more persons are provided for compensation living quarters are shared by three or more persons not living together as a single household and where personal care services or assistance with medications (as defined by the Texas Health and Safety Code) are not provided **(Revised Definition)**

Dwelling - Single-Family - A building having accommodations for and occupied by not more than one family household. **(Revised Definition)**

Dwelling - Two-Family - A detached building having separate accommodations for and occupied by not more than two families households. **(Revised Definition)**

Dwelling - Multifamily - Any building or portion thereof, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or residence of three or more ~~families~~ households. **(Revised Definition)**

Disabled Individual - A person who has a physical or mental impairment that substantially limits one or more major life activities, a person who is regarded as having that type of impairment, or a person who has a record of that type of impairment. The term "disabled" includes persons recovering from addiction, but such term does not include current, illegal use of, or addiction to a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802)). **(New Definition)**

Household - A domestic unit that resides in and shares in common a single dwelling unit and consists of one or more individuals related by blood, marriage, adoption or recognized legal union or guardianship, and not more than four adult unrelated individuals, plus any minor children or persons residing in a household care facility. **(New Definition)**

Household Care Facility - A dwelling unit that provides residence and care to not more than ~~six~~ eight persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster or financial setbacks, living together with not more than two caregivers as a single household. Where applicable, a household care facility shall have appropriate licensing and/or registration by the State of Texas. **(Revised Definition)**

Household Care Institution - A facility that provides residence and care to more than ~~six~~ eight persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned or neglected children; victims of domestic violence; convalescing from illness, or rendered temporarily homeless due to fire, natural disaster or financial setback. Where applicable, a household care institution shall have appropriate licensing and/or registration by the State of Texas. **(Revised Definition)**

Rehabilitation Care Facility - A dwelling unit which provides residence and care to not more than ~~nine~~ eight persons, regardless of legal relationship, who have ~~demonstrated a tendency towards alcoholism, drug abuse, mental illness, or antisocial or criminal conduct~~ been convicted of prohibited criminal conduct, and received conditional release, probation, or parole with supervision, living together with not more than two supervisory personnel as a single household ~~housekeeping unit~~. Where applicable, a rehabilitation care facility shall have appropriate licensing and/or registration. **(Revised Definition)**

Rehabilitation Care Insitution - A facility which provides residence and care to ~~ten~~ nine or more persons, regardless of legal relationship, who have ~~demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct~~ been convicted of prohibited criminal conduct and received conditional release, probation, or parole with supervision, together with supervisory personnel. **(Revised Definition)**

Reasonable Accommodations Process

Article 6 (Procedures and Administration)

Subsection 6.202 (Jurisdiction) (2) (e) of Section 6.200 (Board of Adjustment)

(e) Hear and decide requests for reasonable accommodations in the city's zoning and development regulations when needed to provide an individual with a disability an equal opportunity to use and enjoy a dwelling, in accordance with the following procedures:

- (i) A request for reasonable accommodation may be made to the Chief Building Official by any person with a disability, their representative or a developer or provider of housing for individuals with disabilities. The request shall state the reason for the accommodation from the zoning and development regulations and the basis for the request.
- (ii) The Board of Adjustment shall conduct a hearing to determine whether the request for reasonable accommodation should be granted. The applicant or applicant's representative shall have the burden to demonstrate that:
 - 1 The applicant (or the person on whose behalf the applicant is requesting the accommodation) suffers from a disability as defined by the Fair Housing Amendment Act and:
 - 2 The applicant (or the person on whose behalf the applicant is requesting the accommodation) demonstrates that the accommodation is both reasonable and necessary. An accommodation under this section is "necessary" if without the accommodation the applicant will be denied an equal opportunity to obtain the housing of his or her choice.
- (iii) If the applicant demonstrates the matters set out in (ii) 1 and 2 above, the request for reasonable accommodation shall be granted by the Board of Adjustment unless the accommodation would fundamentally alter the city's land use and zoning patterns or if the use's impact on its surroundings is no greater than that of other uses permitted in the district.
- (iv) A reasonable accommodation for an increase in the number of residents terminates if the property ceases to be operated as housing for disabled persons as defined by the Fair Housing Amendment Act. **(New Process and Language)**

The only change proposed to the districts in which these housing arrangements are allowed either by right or by specific use permit is to allow household care facilities by right in the Agricultural district. Presently, a specific use permit is required.

RECOMMENDATIONS:

The following amendments to the Zoning Ordinance are recommended for approval. Deletions are indicated by a strikethrough; new language is indicated by underlined text.

Article 1 General Regulations Section 1.600 Definitions

Assisted Living Facility - A development ~~building or buildings, other than a single-family dwelling~~, designed and staffed to provide housing for residents who require some type of support for daily living, such as assistance for bathing, dressing, medication, meal preparation, or other functions. In addition to housing, this type of facility may also provide convenience services such as meals, housekeeping, transportation and community facilities such as central dining rooms and activity rooms.

Boarding/Rooming House - A ~~residence structure, other than a~~ excluding hotels, motels and multi-family dwellings, where ~~lodging and/or meals for four or more persons are provided for compensation~~ living quarters are shared by three or more persons not living together as a single household and where personal care services or assistance with medications (as defined by the Texas Health and Safety Code) are not provided

Dwelling - Single-Family - A building having accommodations for and occupied by not more than one ~~family~~ household.

Dwelling - Two-Family - A detached building having separate accommodations for and occupied by not more than two ~~families~~ households.

Dwelling - Multifamily - Any building or portion thereof, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or residence of three or more ~~families~~ households.

Disabled Individual - A person who has a physical or mental impairment that substantially limits one or more major life activities, a person who is regarded as having that type of impairment, or a person who has a record of that type of impairment. The term "disabled" includes persons recovering from addiction, but such term does not include current, illegal use of, or addiction to a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

Household - A domestic unit that resides in and shares in common a single dwelling unit and consists of one or more individuals related by blood, marriage, adoption or recognized legal union or guardianship, and not more than four adult unrelated individuals, plus any minor children, or persons residing in a household care facility.

Household Care Facility - A dwelling unit that provides residence and care to not more than ~~six~~ eight persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural disaster or financial setbacks, living together with not more than two caregivers as a single household. Where applicable, a

household care facility shall have appropriate licensing and/or registration by the State of Texas.

Household Care Institution - A facility that provides residence and care to more than ~~six~~ eight persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned or neglected children; victims of domestic violence; convalescing from illness, or rendered temporarily homeless due to fire, natural disaster or financial setback. Where applicable, a household care institution shall have appropriate licensing and/or registration by the State of Texas.

Rehabilitation Care Facility - A dwelling unit which provides residence and care to not more than ~~nine~~ eight persons, regardless of legal relationship, who have ~~demonstrated a tendency towards alcoholism, drug abuse, mental illness, or antisocial or criminal conduct~~ been convicted of prohibited criminal conduct, and received conditional release, probation, or parole with supervision, living together with not more than two supervisory personnel as a single household ~~housekeeping unit~~. Where applicable, a rehabilitation care facility shall have appropriate licensing and/or registration.

Rehabilitation Care Institution - A facility which provides residence and care to ~~ten~~ nine or more persons, regardless of legal relationship, who have ~~demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct~~ been convicted of prohibited criminal conduct and received conditional release, probation, or parole with supervision, together with supervisory personnel.

Article 2 Zoning Districts and Uses
Subsection 2.502 Schedule of Permitted Uses

Remove specific use permit requirement for household care facility in the Agricultural zoning district and allow this use by right.

Article 6 Administration
Subsection 6.200 Board of Adjustment

Add (2)(e) as follows:

(e) Hear and decide requests for reasonable accommodations in the city's zoning and development regulations when needed to provide an individual with a disability an equal opportunity to use and enjoy a dwelling, in accordance with the following procedures:

- (i) A request for reasonable accommodation may be made to the Chief Building Official by any person with a disability, their representative or a developer or provider of housing for individuals with disabilities. The request shall state the reason for the accommodation from the zoning and development regulations and the basis for the request.
- (ii) The Board of Adjustment shall conduct a hearing to determine whether the request for reasonable accommodation should be granted. The applicant or applicant's representative shall have the burden to demonstrate that:

- 1 The applicant (or the person on whose behalf the applicant is requesting the accommodation) suffers from a disability as defined by the Fair Housing Amendment Act and:
 - 2 The applicant (or the person on whose behalf the applicant is requesting the accommodation) demonstrates that the accommodation is both reasonable and necessary. An accommodation under this section is "necessary" if without the accommodation the applicant will be denied an equal opportunity to obtain the housing of his or her choice.
- (iii) If the applicant demonstrates the matters set out in (ii), (1) and (2) above, the request for reasonable accommodation shall be granted by the Board unless the accommodation would fundamentally alter the city's land use and zoning patterns or if the use's impact on its surroundings is no greater than that of other uses permitted in the district.
- (iv) A reasonable accommodation for an increase in the number of residents use terminates if the property ceases to be operated as housing for disabled persons as defined by the Fair Housing Amendment Act.

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 9

Public Hearing - Replat: Baylor Medical Center at Plano, Block A, Lot 1R

Applicant: Baylor Healthcare System

DESCRIPTION:

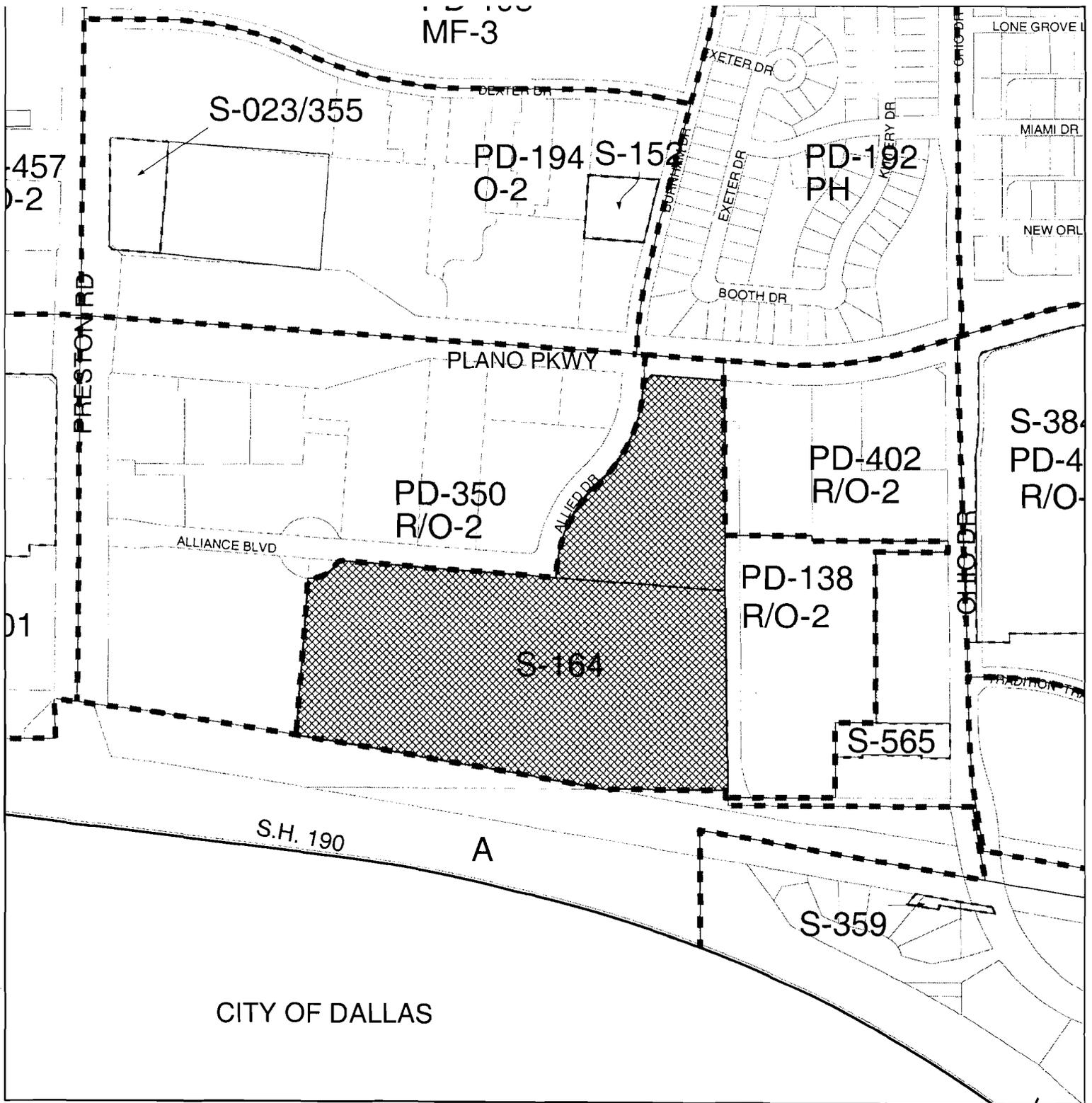
Hospital and medical office on one lot on 22.5± acres located at the southeast corner of Allied Drive and Alliance Boulevard. Zoned Planned Development-138-Retail/General Office with Specific Use Permit #164 for Outdoor Commercial Amusement Facility/190 Tollway/Plano Parkway Overlay District. Neighborhood #55.

REMARKS:

The purpose for this replat is to dedicate easements necessary for completing the new medical office building and parking garage developments.

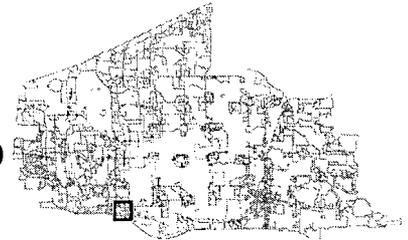
RECOMMENDATION:

Recommended for approval as submitted.



Item Submitted: REPLAT

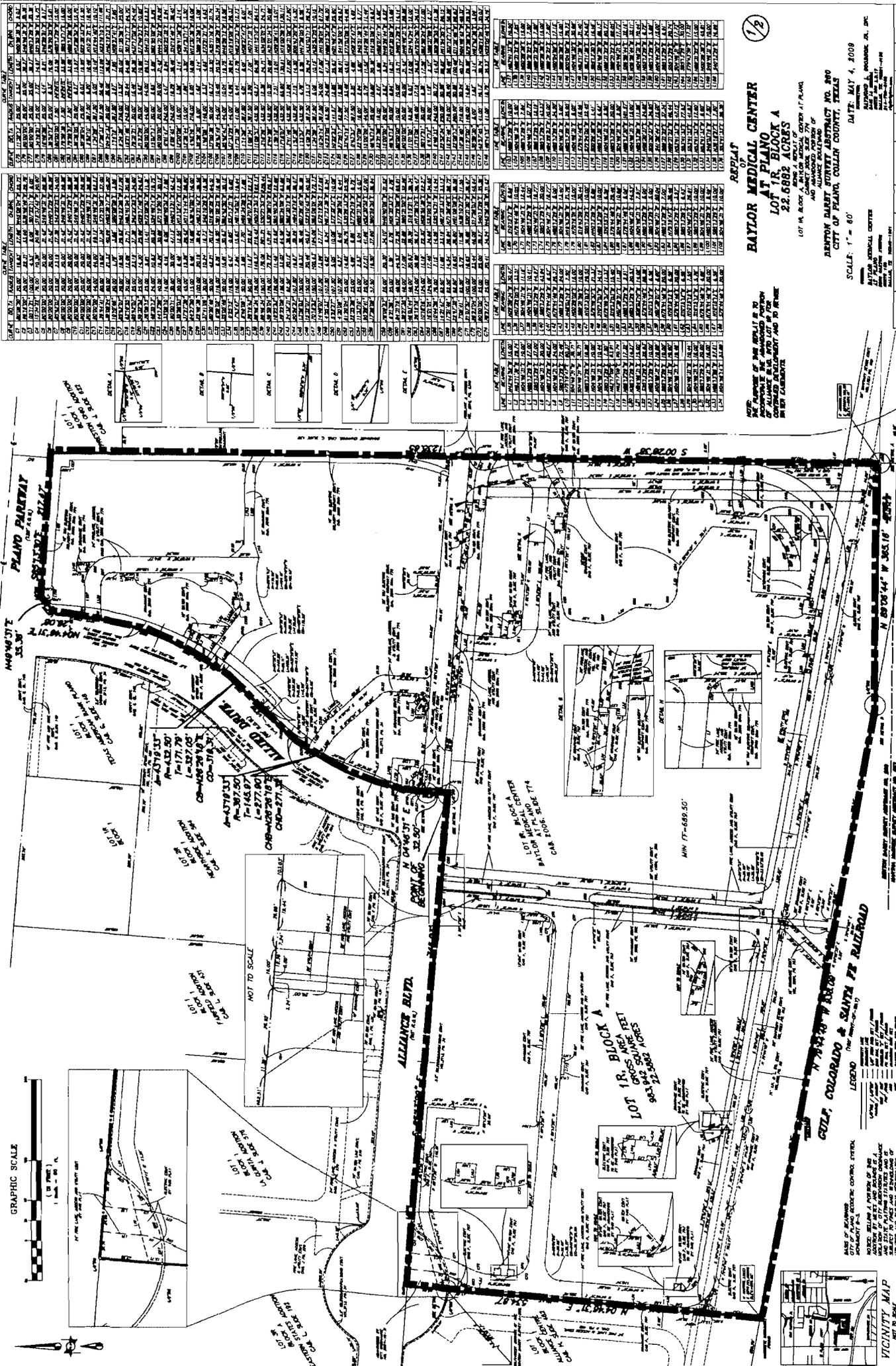
Title: BAYLOR MEDICAL CENTER AT PLANO
BLOCK A, LOT 1R



Zoning: PLANNED DEVELOPMENT-138-RETAIL/GENERAL OFFICE
w/SPECIFIC USE PERMIT #164/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT



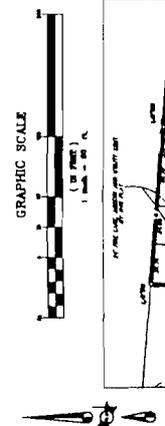
○ 200' Notification Buffer



AREA	AREA NO.	AREA NAME	AREA TYPE	AREA AREA	AREA PERIMETER	AREA COMMENTS
1	101	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	101.0000	RESIDENTIAL
2	102	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	102.0000	RESIDENTIAL
3	103	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	103.0000	RESIDENTIAL
4	104	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	104.0000	RESIDENTIAL
5	105	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	105.0000	RESIDENTIAL
6	106	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	106.0000	RESIDENTIAL
7	107	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	107.0000	RESIDENTIAL
8	108	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	108.0000	RESIDENTIAL
9	109	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	109.0000	RESIDENTIAL
10	110	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	110.0000	RESIDENTIAL
11	111	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	111.0000	RESIDENTIAL
12	112	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	112.0000	RESIDENTIAL
13	113	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	113.0000	RESIDENTIAL
14	114	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	114.0000	RESIDENTIAL
15	115	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	115.0000	RESIDENTIAL
16	116	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	116.0000	RESIDENTIAL
17	117	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	117.0000	RESIDENTIAL
18	118	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	118.0000	RESIDENTIAL
19	119	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	119.0000	RESIDENTIAL
20	120	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	120.0000	RESIDENTIAL
21	121	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	121.0000	RESIDENTIAL
22	122	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	122.0000	RESIDENTIAL
23	123	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	123.0000	RESIDENTIAL
24	124	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	124.0000	RESIDENTIAL
25	125	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	125.0000	RESIDENTIAL
26	126	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	126.0000	RESIDENTIAL
27	127	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	127.0000	RESIDENTIAL
28	128	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	128.0000	RESIDENTIAL
29	129	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	129.0000	RESIDENTIAL
30	130	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	130.0000	RESIDENTIAL
31	131	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	131.0000	RESIDENTIAL
32	132	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	132.0000	RESIDENTIAL
33	133	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	133.0000	RESIDENTIAL
34	134	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	134.0000	RESIDENTIAL
35	135	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	135.0000	RESIDENTIAL
36	136	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	136.0000	RESIDENTIAL
37	137	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	137.0000	RESIDENTIAL
38	138	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	138.0000	RESIDENTIAL
39	139	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	139.0000	RESIDENTIAL
40	140	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	140.0000	RESIDENTIAL
41	141	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	141.0000	RESIDENTIAL
42	142	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	142.0000	RESIDENTIAL
43	143	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	143.0000	RESIDENTIAL
44	144	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	144.0000	RESIDENTIAL
45	145	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	145.0000	RESIDENTIAL
46	146	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	146.0000	RESIDENTIAL
47	147	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	147.0000	RESIDENTIAL
48	148	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	148.0000	RESIDENTIAL
49	149	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	149.0000	RESIDENTIAL
50	150	LOT 1R, BLOCK A	RESIDENTIAL	22.6822 ACRES	150.0000	RESIDENTIAL

1/2
BAYLOR MEDICAL CENTER
LOT 1R, BLOCK A
22.6822 ACRES
 LOT 1R, BLOCK A, BAYLOR MEDICAL CENTER AT PLANO
 AND ADJACENT PORTION OF
 AND ADJACENT PORTION OF
 BAYLOR MEDICAL CENTER AT PLANO
 CITY OF PLANO, COLLIER COUNTY, TEXAS
 DATE: MAY 4, 2009
 SCALE: 1" = 60'
 BAYLOR MEDICAL CENTER
 2177 WEST 15TH STREET
 PLANO, TEXAS 75075-1000
 PHONE: 972.343.1000
 FAX: 972.343.1001
 REC'D: 07/24/09
 FILE: 07/24/09
 SHEET NO. 24/11/09

THE PLANS OF THIS PROJECT ARE THE PROPERTY OF BAYLOR MEDICAL CENTER AND SHALL BE KEPT IN CONFIDENCE AND NOT REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF BAYLOR MEDICAL CENTER.



VICINITY MAP
 NOT TO SCALE
 LEGEND
 BAYLOR MEDICAL CENTER
 CITY OF PLANO
 STATE HIGHWAY 75
 STATE HIGHWAY 121
 STATE HIGHWAY 157
 STATE HIGHWAY 177
 STATE HIGHWAY 182
 STATE HIGHWAY 187
 STATE HIGHWAY 194
 STATE HIGHWAY 202
 STATE HIGHWAY 214
 STATE HIGHWAY 221
 STATE HIGHWAY 237
 STATE HIGHWAY 241
 STATE HIGHWAY 249
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 STATE HIGHWAY 681
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 STATE HIGHWAY 701
 STATE HIGHWAY 711
 STATE HIGHWAY 721
 STATE HIGHWAY 731
 STATE HIGHWAY 741
 STATE HIGHWAY 751
 STATE HIGHWAY 761
 STATE HIGHWAY 771
 STATE HIGHWAY 781
 STATE HIGHWAY 791
 STATE HIGHWAY 801
 STATE HIGHWAY 811
 STATE HIGHWAY 821
 STATE HIGHWAY 831
 STATE HIGHWAY 841
 STATE HIGHWAY 851
 STATE HIGHWAY 861
 STATE HIGHWAY 871
 STATE HIGHWAY 881
 STATE HIGHWAY 891
 STATE HIGHWAY 901
 STATE HIGHWAY 911
 STATE HIGHWAY 921
 STATE HIGHWAY 931
 STATE HIGHWAY 941
 STATE HIGHWAY 951
 STATE HIGHWAY 961
 STATE HIGHWAY 971
 STATE HIGHWAY 981
 STATE HIGHWAY 991
 STATE HIGHWAY 1001

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

Whereas, Baylor Medical Center of Plano is the sole owner of a 22.5882 acre tract of land situated in the Denton Darcy Survey, Abstract Number 261, City of Plano, Collin County, Texas, as conveyed by deed recorded in Volume 5425, Page 7707, and Volume 5824, Page 1541, Deed Records, Collin County, Texas, being all of Lot 1R, Block A, Baylor Medical Center of Plano, an addition to the City of Plano as recorded in Cabinet 2006, Slide 774, Plat Records, Collin County, Texas, being a part of Alliance Boulevard abandoned by City Ordinance No. 2007-10-31 and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with yellow plastic cap stamped "RLG INC" set for corner of the intersection of the south line of Alliance Boulevard (65 feet right-of-way) and the east line of Allied Drive (65 feet right-of-way), said rod being a corner of said Lot 1R, from which a found 1/2" iron rod bears South 89° 07' 02" West a distance of 0.19 feet, a found 1/2" iron rod bears South 72° 59' 58" West a distance of 0.13 feet, and a found capped iron rod bears South 08° 11' 16" East a distance of 0.46 feet;

THENCE North 04° 48' 31" East along the east line of said Allied Drive and the west line of said Lot 1R for a distance of 32.50 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at the beginning of a curve to the right from which a found 1/2" iron rod bears North 87° 22' 24" West a distance of 0.23 feet;

THENCE in a northeasterly direction along the east line of said Allied Drive, the west line of said Lot 1R, and said curve to the right whose chord bears North 26° 26' 18" East a distance of 271.32 feet, having a radius of 367.50 feet, a central angle of 43° 19' 33", and an arc length of 272.90 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at end of said curve to the right and the beginning of a curve to the left;

THENCE in a northeasterly direction along the east line of said Allied Drive, the west line of said Lot 1R, and said curve to the left whose chord bears North 26° 26' 18" East a distance of 318.31 feet, having a radius of 432.50 feet, a central angle of 43° 19' 33" and an arc length of 327.05 feet to a chained "V" set in concrete for corner at the end of said curve to the left;

THENCE North 04° 48' 31" East along the east line of said Allied Drive a distance of 28.06 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at the intersection of the east line of said Allied Drive and the corner clip between said east line and the south line of Plano Parkway (a 120' right-of-way);

THENCE North 49° 48' 31" East along said corner clip a distance of 35.36 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at the intersection of said corner clip and the south line of said Plano Parkway;

THENCE South 85° 13' 29" East along the south line of said Plano Parkway a distance of 217.47 feet to a chained "X" set in concrete for corner, said "X" being the northeast corner of said Lot 1R, and the northwest corner of Lot 1, Block 1, Preston Ohio Addition, an addition to the City of Plano, Collin County, Texas, according to the plat recorded in Cabinet 4, Slide 822, Plat Records, Collin County, Texas;

THENCE South 00° 28' 38" West along the east line of said Lot 1R, the west line of said Lot 1, and the west line of a Drainage Channel as recorded in Cabinet C, Slide 138, Plat Records of Collin County, Texas, for a distance of 1233.65 feet to a concrete monument with a 3-1/4" aluminum disk stamped "Raymond L. Goodson Jr., Inc." set for corner in the north line of a 25 foot strip of land gulf-claimed to Gambit Properties by deed recorded in Volume 1183, Page 53, Deed Records of Collin County, Texas, said concrete monument being the southeast corner of said Lot 1R, from which a found 1/2" iron rod bears North 83° 43' 16" West a distance of 0.39 feet;

THENCE North 89° 08' 44" West along the north line of said Gambit Properties and the south line of said Lot 1R for a distance of 365.16 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner in the north line of the north line of the Gulf, Colorado & Santa Fe Railroad (150 feet right-of-way), from which a found 3/4" iron rod bears North 54° 28' 01" West a distance of 0.36 feet;

THENCE North 79° 44' 48" West along the northeasterly line of said Gulf, Colorado & Santa Fe Railroad and the southwesterly line of said Lot 1R for a distance of 538.09 feet to a concrete monument found for corner, said monument being the southwesterly corner of said Lot 1R, and the southeasterly corner of Lot 1, Block 1, Alliance Center, an addition to the City of Plano according to the plat recorded in Cabinet N, Slide 482, Plat Records of Collin County, Texas;

THENCE North 04° 48' 31" East along the east line of said Lot 1, Block 1, and the west line of said Lot 1R for a distance of 534.87 feet to a chained "X" in concrete set for corner in the south line of said Alliance Boulevard;

THENCE South 85° 13' 29" East along the south line of said Alliance Boulevard and the north line of said Lot 1R for a distance of 745.03 feet to the POINT OF BEGINNING, containing 981,842 square feet or 22.5882 acres, more or less.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

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

WITNESS, my hand this _____ day of _____, 2009.

Wes Huff
Vice President of Real Estate,
Baylor Healthcare System

STATE OF TEXAS §
COUNTY OF _____ §

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

GIVEN under my hand and seal of office this _____ day of _____, 2009.

Notary Public in and for the State of Texas

DRAINAGE AND DETENTION EASEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §
CITY OF PLANO §

This plat is hereby adopted by the Owners (called "Owners") and approved by the City of Plano (called "City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees and successors: The portion of Block A, as shown on the plat is called "Drainage and Detention Easement". The Drainage and Detention Easement within the limits of this addition, will remain open at all times and will be maintained in a safe and sanitary condition by the owners of the lot or lots that are traversed by or adjacent to the Drainage and Detention Easement. The City will not be responsible for the maintenance and operation of said Easement or for any damage to private property or person that results from conditions in the Easement, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Detention Easement, as herein above defined, unless approved by the City Engineer. Provided, however, it is understood that in the event it becomes necessary for the City to erect or consider erecting any type of drainage structure in order to improve the storm drainage that may be occasioned by drainage in or adjacent to the subdivision, then in such event, the City shall have the right to enter upon the Drainage and Detention Easement at any point, or points, to investigate, survey or to erect, construct and maintain any drainage facility deemed necessary for drainage purposes. Each property owner shall keep the Drainage and Detention Easement clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage through the Drainage and Detention Easement is subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City shall not be held liable for any damage of any nature resulting from the occurrence of these natural phenomena, or resulting from the failure of any structure, or structures, within the Easement.

CERTIFICATE OF APPROVAL

APPROVED on this _____ day of _____, 2009, by the Planning & Zoning Commission, City of Plano, Texas.

Chairman, Planning & Zoning Commission

STATE OF TEXAS §
COUNTY OF _____ §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2009.

NOTARY PUBLIC in and for the STATE OF TEXAS

Secretary, Planning & Zoning Commission or City Engineer

STATE OF TEXAS §
COUNTY OF _____ §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2009.

NOTARY PUBLIC in and for the STATE OF TEXAS

VEHICULAR ACCESS, AND MAINTENANCE EASEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §
CITY OF PLANO §

The area or areas shown on the plat as "VAM" (Vegetation, Access, and Maintenance) easement(s) are hereby given and granted to the city, its successors and assigns, as an easement to provide vehicular right of access, and maintenance upon and across said VAM easement. The city shall have the right, but not the obligation, to maintain any and all landscaping within the VAM easement. Should the city exercise this maintenance right, it shall be permitted to remove and dispose of any and all landscaping improvements, including without limitation, any trees, shrubs, flowers, ground cover, and fixtures. The city may withdraw maintenance of the VAM easement at any time. The ultimate maintenance responsibility for the VAM easement shall rest with the owners. No building, fence, shrub, tree, or other improvements or growths, which in any way encroach or interfere with the VAM shall be constructed in, on, over, or across the VAM easement. The city shall also have the right, but not the obligation, to add any landscaping improvements to the VAM easement, to erect any traffic control devices or signs on the VAM easement, and to remove any obstruction thereon. The city, its successors, assigns, or agents, shall have the right and privilege of all times to enter upon the VAM easement or any part thereof for the purposes and with all rights and privileges set forth herein.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

I, Dale R. White, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I have prepared this plat from an actual survey of the land, and the monuments shown hereon were found and/or placed under my personal supervision in accordance with the plotting rules and regulations of the City Plan Commission of the City of Plano, Texas.

Dale R. White
Texas Registered Professional Land Surveyor No. 4762

STATE OF TEXAS §
COUNTY OF DALLAS §

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

GIVEN under my hand and seal of office this _____ day of _____, 2009.

Notary Public in and for the State of Texas



REPLAT
OF
**BAYLOR MEDICAL CENTER
AT PLANO**
LOT 1R, BLOCK A
22.5882 ACRES

BEING A REPLAT OF
this day personally appeared _____, known to me to be the person
LOT 1R, BLOCK A, BAYLOR MEDICAL CENTER AT PLANO,
CABINET 2006, SLIDE 774
AND ABANDONED PORTION OF
ALLIANCE BOULEVARD

DENTON DARBY SURVEY ABSTRACT NO. 800
CITY OF PLANO, COLLIN COUNTY, TEXAS

SCALE: 1" = 80' DATE: MAY 4, 2009

RECORDED VOL PG JOB NO 02343 E-FILE 0234397 DWG NO 24(1)

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 10

Public Hearing - Replat: EDS Clusters, Block A, Lot 4R

Applicant: Electronic Data Systems, LLC

DESCRIPTION:

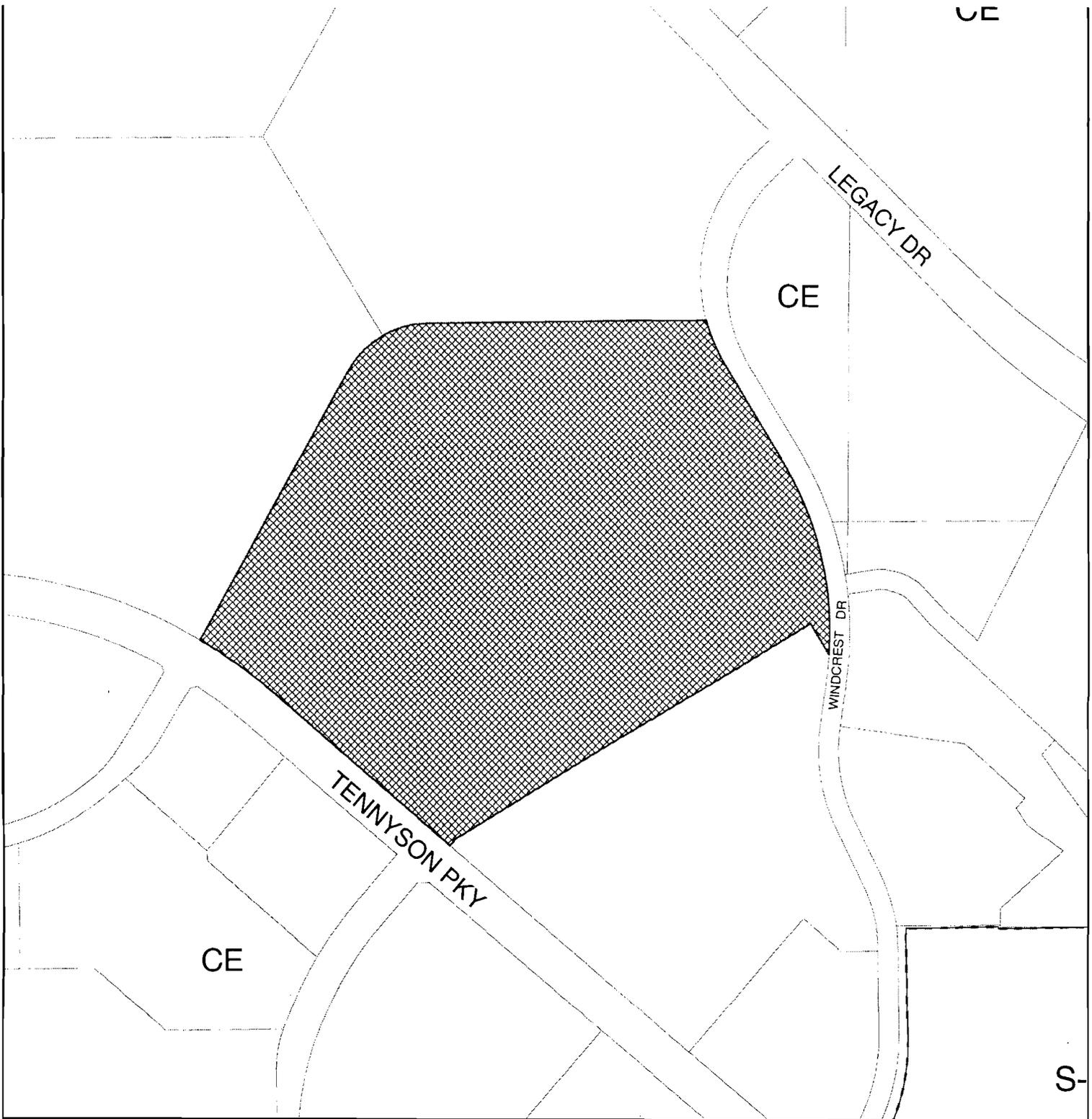
General offices on one lot on 43.7± acres located at the northeast corner of Democracy Drive and Tennyson Parkway. Zoned Commercial Employment. Neighborhood #16.

REMARKS:

The purpose for this replat is to abandon and dedicate a water easement to accommodate a relocated water line.

RECOMMENDATION:

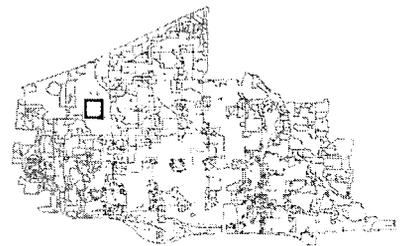
Recommended for approval as submitted.



Item Submitted: REPLAT

Title: EDS CLUSTERS
BLOCK A, LOT 4R

Zoning: COMMERCIAL EMPLOYMENT



○ 200' Notification Buffer

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 11

Public Hearing - Replat: Beaty Early Childhood School, Block A, Lot 1R

Applicant: Plano Independent School District

DESCRIPTION:

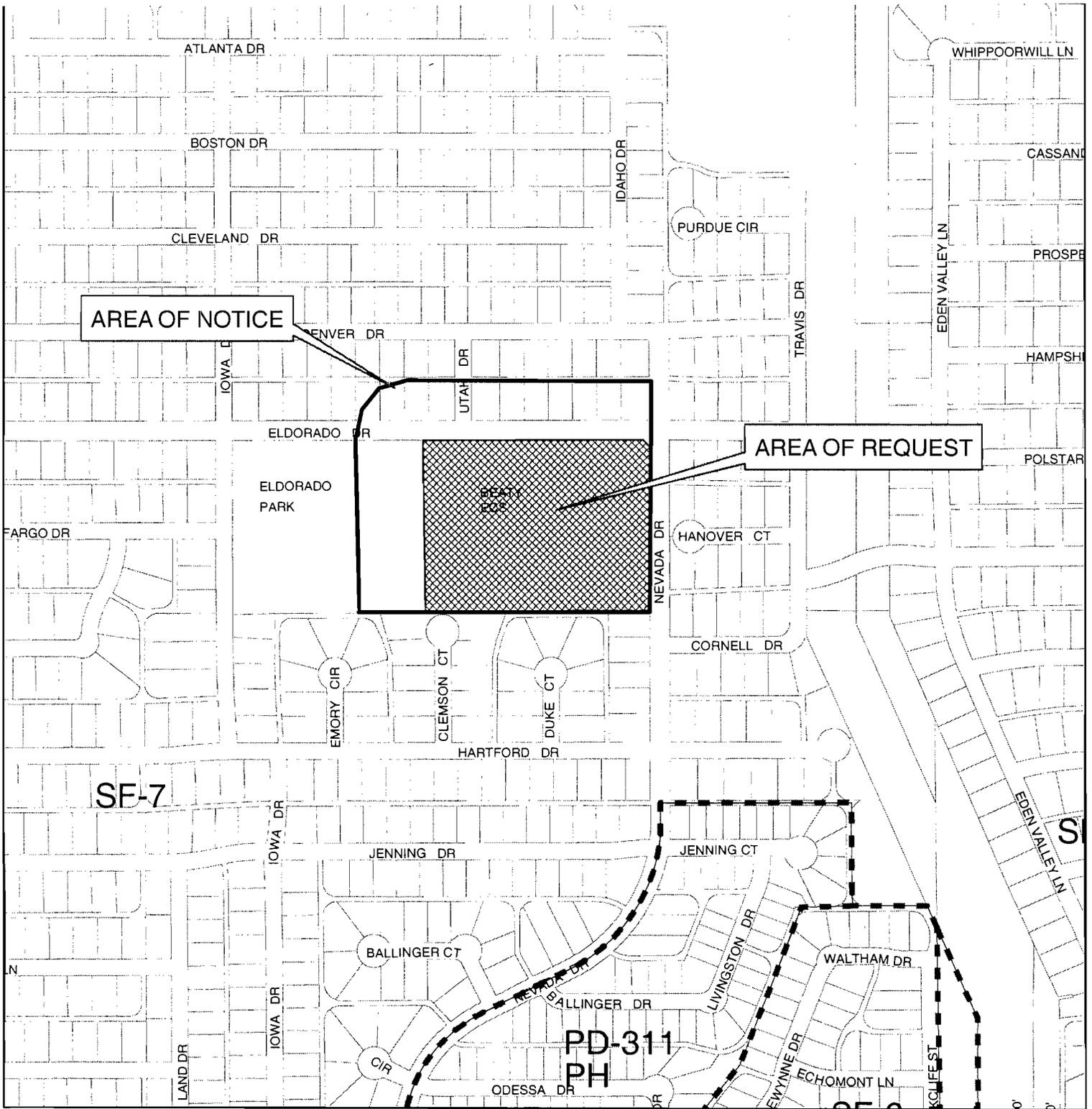
Public school on one lot on 8.0± acre located at the southeast corner of Eldorado Drive and Nevada Drive. Zoned Single-Family Residence-7. Neighborhood #55.

REMARKS:

The purpose of the replat is to abandon existing easements and dedicate new easements to accommodate the building expansion on the west end of the existing school building.

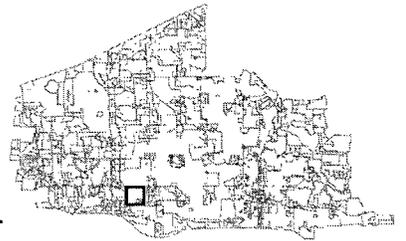
RECOMMENDATIONS:

Recommended for approval as submitted.



Item Submitted: REPLAT

Title: BEATY EARLY CHILDHOOD SCHOOL
BLOCK A, LOT 1R

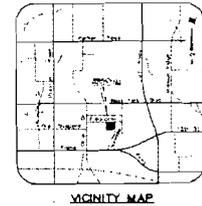
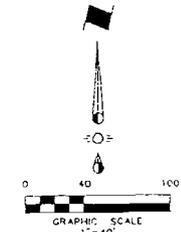
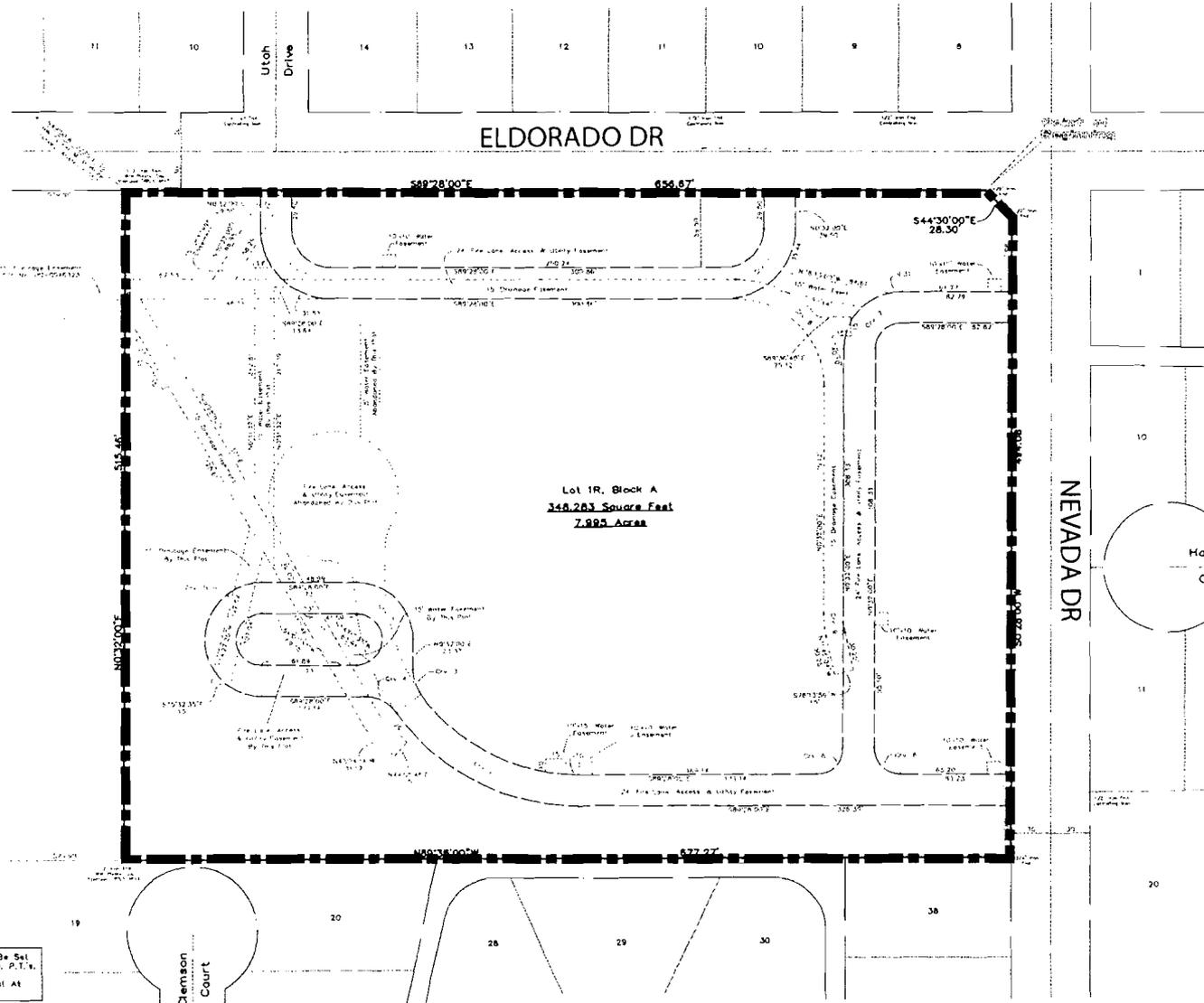


Zoning: SINGLE-FAMILY RESIDENCE-7

○ 200' Notification Buffer

544 Place - Section Two
 Cab. B. Pg. 116
 Block 9

544 Place - Section Two
 Cab. B. Pg. 116
 Block 10



Curve	Station	Chord	Area	Curve	Station	Chord	Area
1	4+00.00	4+00.00	4+00.00	4	10+00.00	10+00.00	10+00.00
2	5+00.00	5+00.00	5+00.00	5	11+00.00	11+00.00	11+00.00
3	6+00.00	6+00.00	6+00.00	6	12+00.00	12+00.00	12+00.00
4	7+00.00	7+00.00	7+00.00	7	13+00.00	13+00.00	13+00.00
5	8+00.00	8+00.00	8+00.00	8	14+00.00	14+00.00	14+00.00
6	9+00.00	9+00.00	9+00.00	9	15+00.00	15+00.00	15+00.00

Lot 1R, Block A
 346,263 Square Feet
 7.995 Acres

544 Place - Section Two
 Cab. B. Pg. 116
 Block 11

Highlands North - Phase V
 Cab. C. Pg. 172
 Block 3

SHEET 1 OF 2

REPLAT
**BEATY EARLY
 CHILDHOOD SCHOOL**
 LOT 1R, BLOCK A
 Being A Replat Of
 Lot 2, Block 11
 544 Place, Section Two
 7.995 Acres Situated in The
MARTHA MCBRIDE SURVEY ~ ABST. 553
 PLANO, COLLIN COUNTY, TEXAS

DRAWN
 Plano Independent School District
 8600 Alma Drive
 Plano, Texas 75023
 Telephone 469-752-1480

ENGINEER
 RLK Engineering, Inc.
 111 West Main Street
 Allen, Texas 75015
 Telephone 972-356-1733

SURVEYOR
 Surdick Surveying, Inc.
 13870 CR 480
 Anna, Texas 75409
 Telephone 972-824-8200

May 8, 2009

NOTE: 1" Iron Pipe Shall Be Set At All Block Corners, P.C.s, P.T.s, And Angle Points.
 1/2" Iron Pipe Shall Be Set At All Other Lot Corners.

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

PURPOSE OF REPLAT:
 To abandon existing easements and to dedicate new easements.

Highlands North - Phase V
 Cab. C. Pg. 172
 Block 5

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, the Plano Independent School District is the owner of a tract of land situated in the Martha McBride Survey, Abstract No. 553, City of Plano, Collin County, Texas, and being all of Lot 2, Block 11, 544 Place, Section Two, an addition to the City of Plano, Texas, as recorded in Cabinet N, Page 952, Plat Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner at the northwest end of corner clip at the intersection of the south line of Eldorado Drive (a 60' R.O.W.) and the west line of Nevada Drive (a 60' R.O.W.);

THENCE S44°30'00"E, along said corner clip a distance of 28.30 feet to a 1/2" iron rod found for corner in the west line of Nevada Drive;

THENCE S03°28'00"W, with the west line of Nevada Drive, a distance of 494.00 feet to a 3/4" iron rod found for corner;

THENCE N89°35'00"W, leaving Nevada Drive, a distance of 677.27 feet to a 1/2" iron rod found for corner;

THENCE N00°32'00"E, a distance of 515.46 feet to a 1/2" iron rod found for corner in the south line of Eldorado Drive;

THENCE S89°28'00"E, with the south line of Eldorado Drive, a distance of 536.87 feet to the POINT OF BEGINNING and CONTAINING 348,283 square feet, or 7.995 acres of land.

BASIS OF BEARINGS.

The south line of Eldorado Drive (S89°28'00"E).

PURPOSE OF REPLAT.

To abandon existing easements and to dedicate new easements.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

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

Witness my hand at _____, this the ____ day of _____, 2009

Plano Independent School District

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN under my hand and seal of office this the ____ day of _____, 2009.

Notary Public in and for the State of Texas

CERTIFICATE OF APPROVAL

APPROVED this ____ day of _____, 2009, by the Planning and Zoning Commission, City of Plano, Texas.

Chairman, Planning and Zoning Commission

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN under my hand and seal of office this the ____ day of _____, 2009.

Notary Public in and for the State of Texas

Secretary, Planning & Zoning Commission
Or City Engineer

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN under my hand and seal of office this the ____ day of _____, 2009.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

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



David J. Surdukan
Registration No. 4813

STATE OF TEXAS
COUNTY OF COLLIN

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

GIVEN under my hand and seal of office, this the ____ day of _____, 2009.

Notary Public in and for the State of Texas

SHEET 2 OF 2

REPLAT

**BEATY EARLY
 CHILDHOOD SCHOOL**

LOT 1R, BLOCK A

Being A Replat Of

Lot 2, Block 11

544 Place, Section Two

7.995 Acres Situated in The

MARTHA MCBRIDE SURVEY ~ ABST. 553

PLANO, COLLIN COUNTY, TEXAS

OWNER:

Plano Independent School District
6800 Alma Drive
Plano, Texas 75023
Telephone 469 752-1480

ENGINEER:

R.K. Engineering, Inc.
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733

SURVEYOR:

Surdukan Surveying, Inc.
13970 CR 480
Anna, Texas 75409
Telephone 972 924-8200

May 8, 2009

NOTE: 1" Iron Pins Shall Be Set At All Block Corners, P.C.s, P.T.s, And Angle Points.
1/2" Iron Pins Shall Be Set At All Other Lot Corners.

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

REPLY FORM

RECEIVED
MAY 06 2009
PLANNING DEPT

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



Dear Commissioners:

This letter is regarding Beaty Early Childhood School, Block A, Lot 1R. This is a public school on one lot on 8.0± acres located at the southwest corner of Eldorado Drive and Nevada Drive. The purpose of this replat is to abandon existing easements and dedicate fire lane, access and utility easements and a water line.

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

I am **FOR** the replat as explained above for Beaty Early Childhood School, Block A, Lot 1R

I am **AGAINST** the replat as explained above for Beaty Early Childhood School, Block A, Lot 1R

This item will be heard on **May 18, 2009, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed replat. 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.

Ann Inkster
Name (Please Print) Ann Inkster

4433 Eldorado Dr.
Address Plano, TX 75093

John C. Inkster
Signature John C. Inkster

5-3-09
Date

BM

REPLY FORM

RECEIVED
MAY 05 2009
PLANNING DEPT

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



Dear Commissioners:

This letter is regarding Beaty Early Childhood School, Block A, Lot 1R. This is a public school on one lot on 8.0± acres located at the southwest corner of Eldorado Drive and Nevada Drive. The purpose of this replat is to abandon existing easements and dedicate fire lane, access and utility easements and a water line.

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

I am **FOR** the replat as explained above for Beaty Early Childhood School, Block A, Lot 1R

I am **AGAINST** the replat as explained above for Beaty Early Childhood School, Block A, Lot 1R

This item will be heard on **May 18, 2009, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed replat. 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.

Gwen A Baumann
Name (Please Print)

4421 Eldorado Dr.
Address

Gwen A Baumann
Signature

5/3/9
Date

BM

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 12

Public Hearing - Replat: Church of Christ on McDermott Road Addition, Block 1,
Lot 1R

Applicant: Church of Christ on McDermott Road

DESCRIPTION:

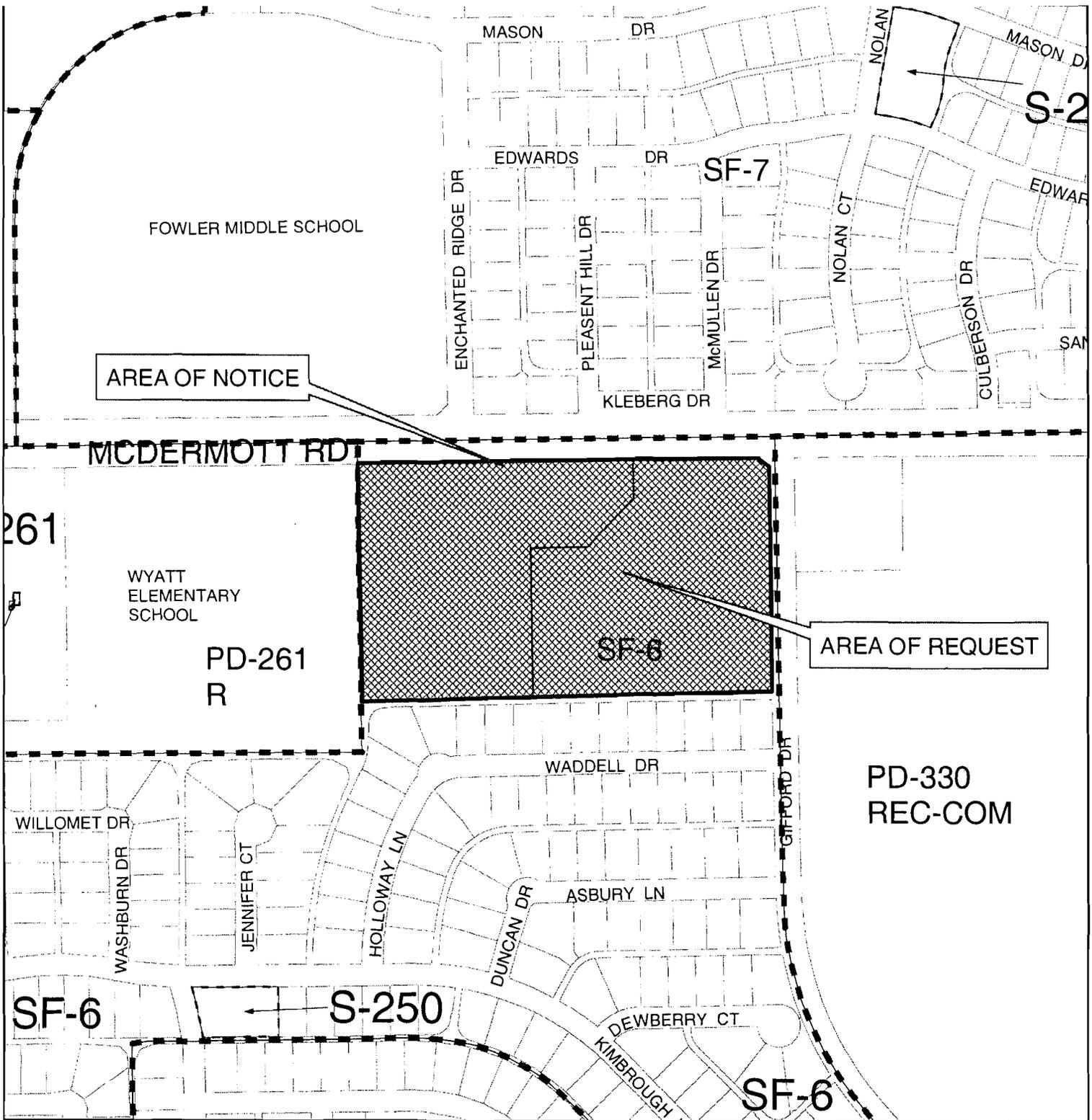
Religious facility on one lot on 12.0± acres located at the southwest corner of McDermott Road and Gifford Drive. Zoned Single-Family Residence-6. Neighborhood #5.

REMARKS:

The purpose of the replat is to combine two lots into one lot and add fire lane and water easements to accommodate the new education center building expansion north of the existing religious facility.

RECOMMENDATIONS:

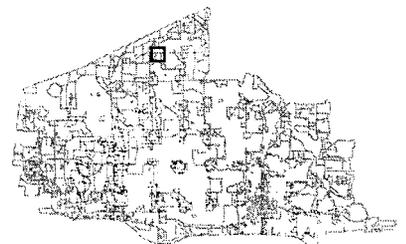
Recommended for approval as submitted.



Item Submitted: REPLAT

Title: CHURCH OF CHRIST ON
MCDERMOTT ROAD ADDITION
BLOCK 1, LOT 1R

Zoning: SINGLE-FAMILY RESIDENCE-6



○ 200' Notification Buffer

REPLY FORM

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



Dear Commissioners:

This letter is regarding Church of Christ on McDermott Road, Block 1, Lot 1R. This is a religious facility on one lot on 12± acres located at the southwest corner of McDermott Road and Gifford Drive. The purpose of the replat is to combine two lots into one lot and add easements.

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

I am **FOR** the replat as explained above for Church of Christ on McDermott Road, Block 1, Lot 1R.

I am **AGAINST** the replat as explained above for Church of Christ on McDermott Road, Block 1, Lot 1R.

This item will be heard on **May 18, 2009, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed replat. 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.

JERRY D. STEVENS
Name (Please Print)

Jerry D. Stevens
Signature

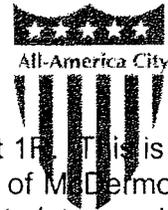
3600 McDERMOTT RD
Address

5/12/09
Date

BM

REPLY FORM

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



Dear Commissioners:

This letter is regarding Church of Christ on McDermott Road, Block 1, Lot 1R. This is a religious facility on one lot on 12± acres located at the southwest corner of McDermott Road and Gifford Drive. The purpose of the replat is to combine two lots into one lot and add easements.

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

I am **FOR** the replat as explained above for Church of Christ on McDermott Road, Block 1, Lot 1R.

I am **AGAINST** the replat as explained above for Church of Christ on McDermott Road, Block 1, Lot 1R.

This item will be heard on **May 18, 2009, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed replat. 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.

PAUL D. FELTS
Name (Please Print)

Paul D. Felts
Signature

2057 LIVERPOOL, PLANO, TX
Address 75025

4/14/09
Date

BM

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 13

Public Hearing: Amendments to the Thoroughfare Standards Rules and Regulations

Applicant: City of Plano

DESCRIPTION:

Request to amend the Thoroughfare Standards Rules and Regulations. The potential amendments include revised roadway design, access, and visibility geometric standards, and revised references to the Zoning Ordinance and Transportation Element of the Comprehensive Plan.

REMARKS:

On May 4, 2009, the Planning & Zoning Commission discussed potential amendments to the Thoroughfare Standards Rules and Regulations. The Thoroughfare Standards Rules and Regulations is Plano's primary regulatory policy for roadway design, access, and visibility; it provides technical guidance in the design of streets, intersection sight distance safety, and driveways. This document, along with requirements contained in the Development Regulations Manual and Thoroughfare Plan, covers details of general alignment, size, and function of significant city streets - which are part of the Transportation Element of the Comprehensive Plan. The goals of these revisions are to increase user understanding of Plano requirements and to provide this information in a user friendly format that is easily applied and understood. The Commission directed staff to amend the Thoroughfare Standards Rules and Regulations as presented in the staff write-up for discussion.

The proposed amendments consist of the following:

- Added language regarding variance procedures to thoroughfare standards requirements;
- Visibility triangle criteria updated to address sight distance needs at intersections;

- Driveway design standards for access road established, including deceleration lanes, consistent with the Texas Department of Transportation (TxDOT) standards;
- Updated section number references to the Zoning Ordinance;
- Consolidated Preston Road and Spring Creek Parkway access standards to reflect the change to Spring Creek Parkway due to no grade separated intersections;
- Deleted all references to Type A roadway design criteria;
- Modified intersection design requirements to prevent minor offsets of opposing street/driveways on undivided roads;
- Modified driveway design criteria to reduce conflicts for three lane driveways;
- Modified Alternate Subdivision Street Standards to accommodate new urbanism design concepts consistent with existing developments in Plano (i.e. Legacy Town Center and Downtown Plano); and
- Consolidated access requirements and driveway criteria along all access controlled facilities consistent with TxDOT requirements.

Due to the extensive changes being proposed, a strikethrough and underlined version of the changes was not prepared. However, the attached document represents the changes proposed for consideration, including a reference sheet identifying the page number and a corresponding reference number for where the proposed text revision is located within the document.

RECOMMENDATION:

Recommended for approval as submitted.

THOROUGHFARE STANDARDS RULES AND REGULATIONS

Summary of Changes

1. Added language on variance procedures **Pages 2 & 18**
2. Visibility Triangle Criteria updated **Table 9, Page 30**
3. Driveway design standards for access roads established, including deceleration lanes **Page 10**
4. Updated section number references to (outdated) Zoning Ordinance **Page 17**
5. Consolidated Preston Road and Spring Creek Parkway access standards to reflect the change in Spring Creek (no grade separations) **Page 7**
6. Deleted all references to Type "A" roadway design criteria
7. Modified intersection design requirements to prevent minor offsets of opposing street/drive approaches on undivided roads **Page 4**
8. Modified driveway design criteria to reduce conflicts on three lane driveways **Page 20**
9. Modified Alternate Subdivision Street Standards to accommodate New Urbanism concepts **Page 33**
10. Consolidated access requirements and driveway criteria along all access controlled facilities **Page 10**

CITY OF PLANO TRANSPORTATION DIVISION, ENGINEERING DEPARTMENT

Rules And Regulations Governing The Design & Construction Of Streets And Thoroughfares, Sidewalks, & Appurtenances

SECTION I. STREET DESIGN STANDARDS

A. General

Design standards for city streets are defined through two documents: 1) the Thoroughfare Standards - the document contained herein - which is part of the Development Regulations Manual, covering the technical details of street and transportation system design; and 2) the separate Thoroughfare Plan - a map that establishes the general alignment, size, and function of significant city streets - which is a part of the Transportation Chapter of the Comprehensive Plan. A third document - the Traffic Impact Analysis [TIA] Guidelines - is used to analyze site development and is part of the Development Guidelines. All of the aforementioned documents are updated by staff and adopted by ordinance on a periodic basis by the City Council.

**TABLE 1
CITY OF PLANO
THOROUGHFARE
DIMENSIONS**

The basic elements of the thoroughfare standards are the street types. **TABLE 1** summarizes the basic thoroughfare dimensions. Special design standards for several thoroughfares, tollways, and highways are detailed in the body of this document. **TABLE 2** gives the minimum design speeds for the listed thoroughfare type. The Appendix has cross-sections of each thoroughfare type.

Category	Designation Right of Way	Minimum	Pavement	Median
Major Thoroughfare	B+	±140	8@12'	20'
	B	±130' - 160'	6@12'	24'
Major Thoroughfare	C	110	6@11'	20'
Secondary Thoroughfare	D	92'	4@12'	20'
Secondary Thoroughfare	E+	75'	5@11'	None
	E	68'	4@11'	None
Collector	F	60'	36'	None
Residential Street	G	50'	26'	None

Note: Major and secondary thoroughfares flare at intersections to provide auxiliary lanes, see Figure 1 and 2.

The City Traffic Engineer, and/or City Engineer, have the authority to apply these standards to proposed street and infrastructure design and construction within the City of Plano. Authorized city staff may allow or require different values for design parameters than those given herein to resolve unusual field conditions, to better serve the safety, and/or to better meet other needs of the public infrastructure.

As a general rule, the reference dimensions given herein for distances are measured from the face-of-curb. Distances such as between two driveways, two median openings, etc. are measured between the two closest curb-lines of both elements (e.g. face-of-curb to face-of-curb. Exceptions are noted in the body of the text.

1

An applicant for construction plan approval to the city may appeal the value of a given design parameter following the written decision of authorized city staff to allow or require a different value than those listed in this book. The appeal process - unless otherwise specified elsewhere in this document is as follows:

The applicant - typically a developer or owners representative - may request to have a design parameter staff decision appealed at the next available Planning and Zoning (P&Z) Commission meeting. The request for a P&Z appeal must be in writing in a parameter acceptable to authorized city staff, and it must describe the nature and location(s) of the design parameter in question. The applicant may also submit a technical memorandum prepared by a professional engineer explaining why the appeal is justified. The applicant may also present his position verbally during the P&Z meeting. The P&Z Commission will then consider and vote on the question of whether to accept or deny the request of the applicant under the commission's normal rules of order.

B. Minimum Horizontal Radius

The minimum centerline radius is defined by the design speed of the respective street. The minimum design speed of each street category in the City of Plano, as defined by the Thoroughfare Plan, is listed in **Table 2**.

TABLE 2
MINIMUM DESIGN SPEED OF EACH TYPE OF STREET

STREET TYPE	MINIMUM DESIGN SPEED (MPH)
F, G	30
D, E, E+	35
C	40
B, B+	45

The resulting minimum acceptable horizontal centerline radius for each respective street is determined by considering the speed (V), superelevation (e), and friction (f) as shown in **Table 3**, and as calculated by the following formula :

$$R = \frac{V^2}{15(e+f)}$$

The maximum length of a horizontal curve on Type E, F, or G roadways shall not exceed 1.6 times the centerline radius (i.e. shall not encompass an angle greater than 90-degrees for a radii of 250 feet or greater. Also, the minimum arc length of a centerline radius design shall be 100 ft. The minimum centerline radius for residential streets shall be 250 feet. However, for corners of 90-degrees to 100 degrees on residential streets, the centerline radius may be 43.5 feet.

C. Minimum Vertical Alignment

Vertical Alignment is a function of stopping sight distance (SSD) which is given by the equation:

$$SSD = 1.47PV + \frac{V^2}{30(f+g)}$$

Stopping sight distances herein are calculated for g=0, and a perception/reaction time of 2.5 seconds (P). The minimum vertical curve length considers the algebraic difference in grades (A) of the two street segments to be joined by a curve, the rate of curvature (K), the speed, and other factors to derive the crest curve length listed in **Table 4**, or sag curve lengths as shown in **Table 5**. The minimum length of a crest or sag curve is 100 feet.

TABLE 3
MINIMUM HORIZONTAL CENTERLINE RADIUS

Street Type	V (mph)	f	e (ft/ft)	(e+f)	R (Calculated) (ft)	R (Rounded) (ft)
F,G	30	0.16	-0.02	.14	428.57	450
D,E,E+	35	0.16	-0.02	.14	583.33	600
C	40	0.15	-0.02	.13	820.51	850
B,B+	45	0.15	-0.02	.13	1,038.46	1,050

TABLE 4
MINIMUM ACCEPTABLE CREST CURVE GIVEN SPEED AND DIFFERENCE IN GRADE OF ROAD

V (MPH)	SSD (ft)	K	L=KA *									
			A=1	A=2	A=3	A=4	A=5	A=6	A=7	A=8	A=9	A=10
30	200	30	100	100	100	120	150	180	210	240	270	300
35	250	50	100	100	150	200	250	300	350	400	450	500
40	325	80	100	160	240	320	400	480	560	640	720	800
45	400	120	120	240	360	480	600	720	840	960	1,080	1,200
50	475	160	160	320	480	640	800	960	1,120	1,280	1,440	1,600

* 100 foot minimum

TABLE 5
MINIMUM ACCEPTABLE SAG CURVE GIVEN SPEED AND DIFFERENCE IN GRADE OF ROAD

V (MPH)	SSD (ft)	K	L=KA *									
			A=1	A=2	A=3	A=4	A=5	A=6	A=7	A=8	A=9	A=9
30	200	40	100	100	120	160	200	240	280	320	360	400
35	250	50	100	100	150	200	250	300	350	400	450	500
40	325	70	100	140	210	280	350	420	490	560	630	700
45	400	90	100	180	270	360	450	540	630	720	810	900
50	475	110	100	220	223	440	550	660	770	880	990	1,100

* 100 foot minimum

D. Intersection Design

1. The centerline of the approaches or "legs" of street intersections should intersect perpendicular with each other, or "radially" in the case of curved street alignment. In both cases, the actual intersection angle shall not vary more than five degree in either direction from a 90-degree angle.
 2. The corner radius shall be a minimum of 30 feet at the intersection of thoroughfare Types E and above with another thoroughfare Type E and above.
 3. At all other intersecting streets, the corner radius shall be a minimum of 20 feet.
 4. Along all thoroughfares, adequate right-of-way (ROW) shall be dedicated such that a minimum of 9-1/2 feet of parkway shall be maintained from the back-of-curb of the tangent and curve portions of the street geometry, such that adequate area for sidewalks, utilities, etc. is provided within the parkway. In general, ROW lines between intersections shall be parallel to the centerline and may include tangent and curved alignments.
- #7** 5. Roadway design work at or near intersections should include a review of the existing and proposed pavement and lane markings on both sides of the intersection to verify proper lane alignment and should include any modifications to the pavement and/or pavement markings necessary to provide for safe and efficient traffic flow through the intersection.

6. The minimum spacing between adjacent streets and between a street and an adjacent median opening shall be as follows:
 - a. On an undivided roadway -
 1. Have at least 150 feet between the near curb of any adjacent street when either of the streets is a Type E or larger street or have at least 110 feet between the near curb of any adjacent street when both streets are Type F or smaller streets.
 2. If an existing street is located on the opposite of the street, the new street shall either:
 - a. align with the existing street and also meet the distance requirements from adjacent streets listed above, or
 - b. meet the distance requirements listed above
 - b. On a divided roadway -
 1. Align with an existing median opening or a new median opening installed to serve the street (subject to median opening spacing requirements of Section II.E.) and have at least 150 feet between the near curb of any adjacent street located on the same side of the street, or
 2. Be at least 150 feet from the near side of any median opening and have at least 150 feet between the near curb of any adjacent street located on the same side of the street,

E. Type C Intersection ROW -

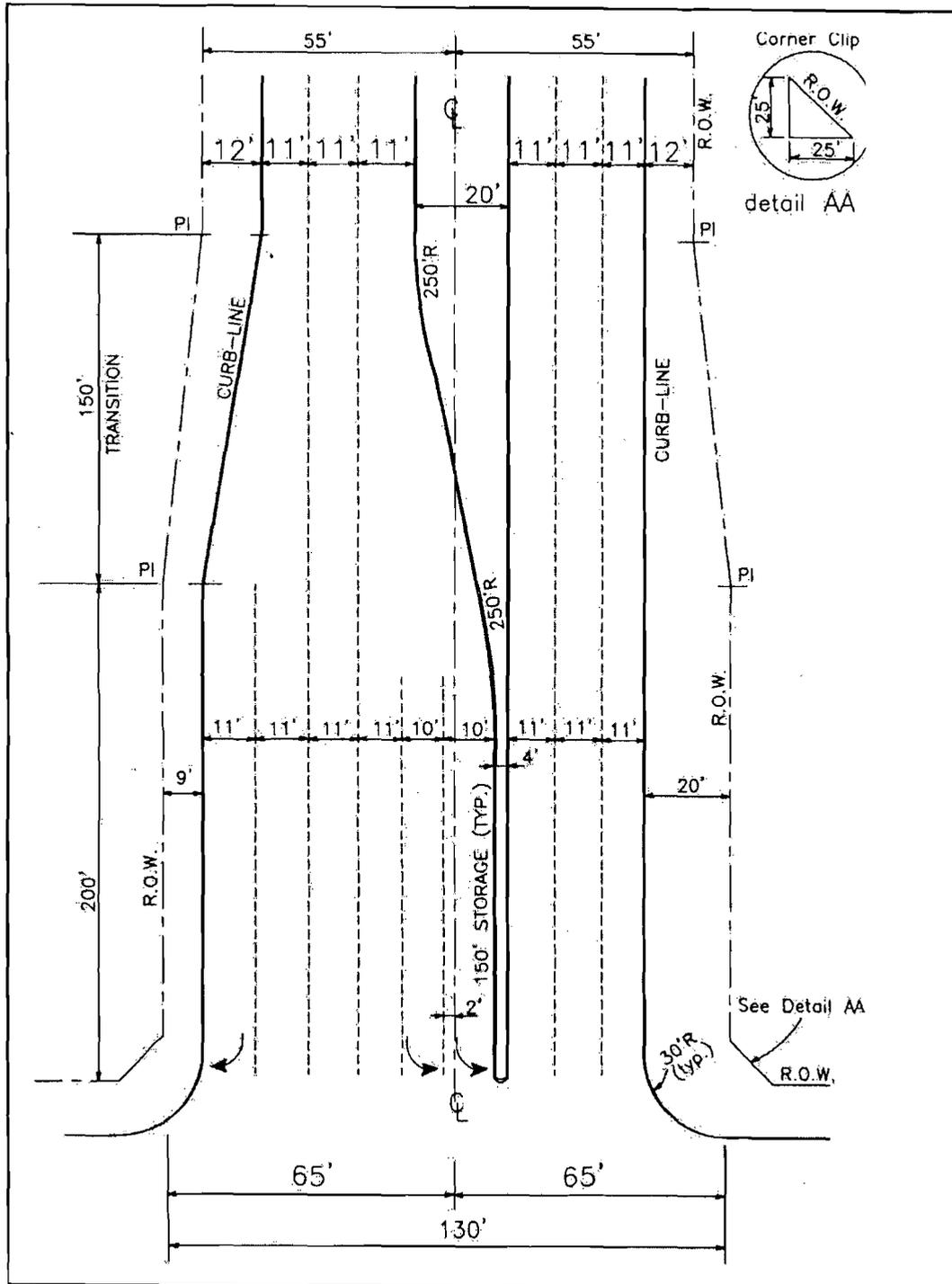
1. For intersections of a Type C, Major Thoroughfare with a Type B, B+, or C, the "legs" of the Type C ROW shall be expanded to 130 feet for a distance of 200 feet from the ROW line of the cross-street, and then transition back for 150 feet ~~at ratio of 15:1~~ to the standard ROW width of 110 feet (**see Figure 1**). This flare will allow auxiliary turn lanes to be added to the intersection as needed. In general, right-turn lanes are required at all such intersections of Type C with Type B, B+, or C.
2. Tollway Intersection ROW - For intersections of a Type C, Major Thoroughfare with a tollway service road, the approach intersection width of the Type C ROW shall be expanded to 140 feet for a distance of 200 feet from the ROW line of the cross-street, and then transition back for 150 feet ~~at ratio of 15:1~~ to the standard ROW width of 110 feet (**see Figure 2**). This flare will allow auxiliary turn lanes to be added to the intersection as needed.

F. Residential Frontage -

Residential houses shall not front a Type B thru D thoroughfare unless a parallel residential frontage road between the house and the adjacent side of the thoroughfare is provided. A minimum distance of 20 feet shall separate the typical curb-line of the thoroughfare and the residential frontage road in the form of a parkway. Residential frontage road ROW shall be in addition to the thoroughfare ROW.

FIGURE 1

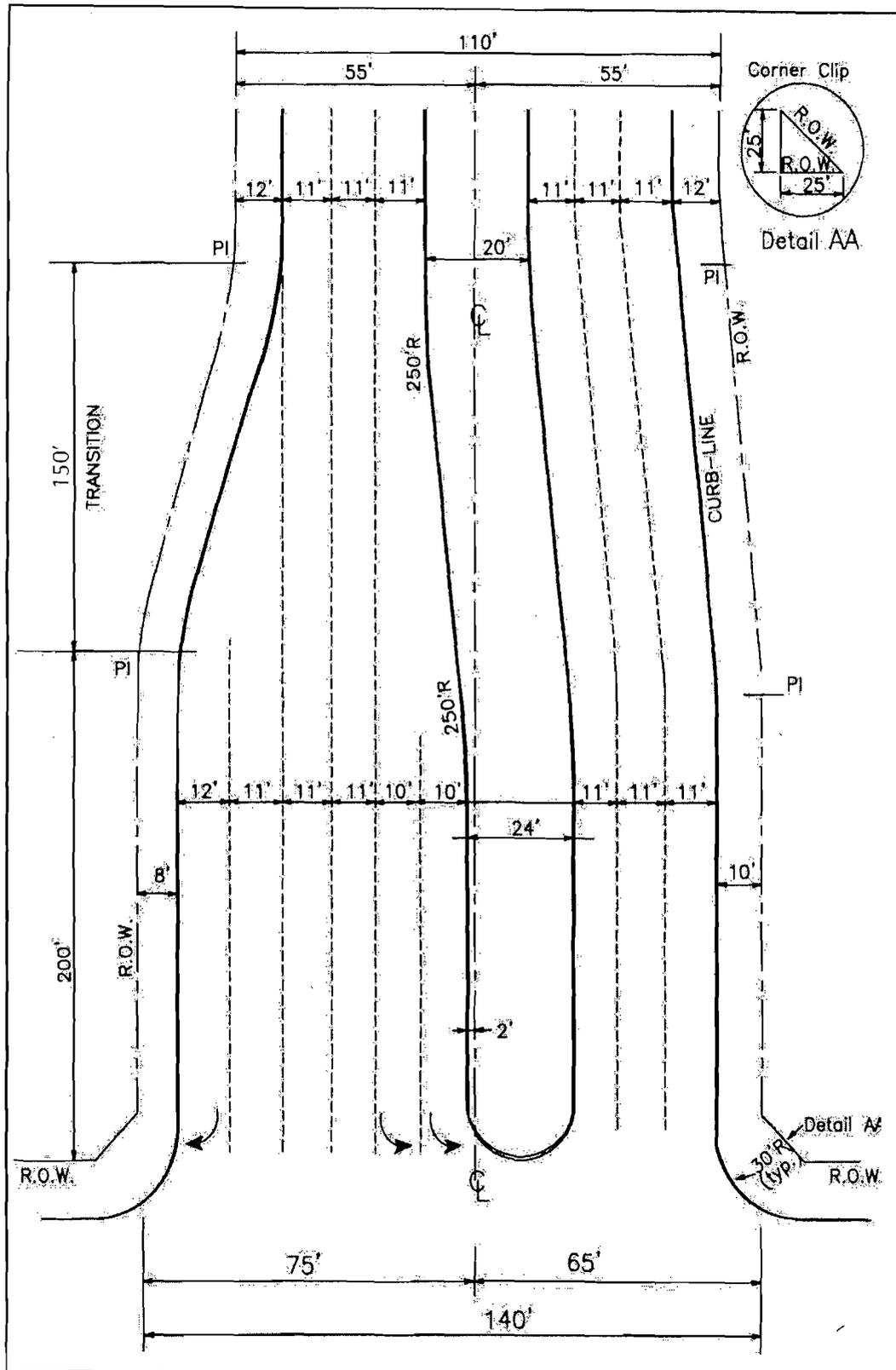
INTERSECTION OF TYPE "C" THOROUGHFARE WITH TYPE C AND ABOVE, ROW-REQUIREMENTS



Note: dashed lines show possible geometric construction, not lane lines.

FIGURE 2

INTERSECTION OF TYPE "C" THOROUGHFARE WITH TOLLWAY SERVICE ROAD, ROW-REQUIREMENTS



Note: dashed lines show possible geometric construction, not lane lines.

#5 G. Preston Road and Spring Creek Parkway Special Standards -

For its entire length within the city, Preston Road is designated as a “special” major thoroughfare (Type B+), meaning the number and type of driveways and median openings allowed is different than the typical major thoroughfare, thus increasing its traffic-carrying capacity.

Spring Creek Parkway is designated as a “special” major thoroughfare (Type B+) as well, from Alma Road west to the city limit line. East of Alma Drive, Spring Creek Parkway is a Type C thoroughfare that follows normal standards.

For both Type B+ streets as defined above, the following special standards shall be used:

1. Along a Type B+ street, a deceleration lane shall be provided at commercial or industrial driveways, and at its intersection with thoroughfares that are less than Type D as shown in Figure 3(a), 3(b), or 3(c).
2. The outbound right-turn lane of a driveway feeding directly onto a Type B+ thoroughfare shall use a 40-foot corner radius - see **Figure 3(a), 3(b), or 3(c)**.
3. The minimum distance between two driveways along a Type B+ thoroughfare shall be per the typical driveway spacing on thoroughfares covered in Section IV.
4. Deceleration lanes and other auxiliary lanes required along a type B+ thoroughfare shall be constructed to the same standards as the adjoining street and the cost shall be the developer's responsibility - see **Figure 3(a) - 3(g)**.
5. Full median openings at street intersections shall be separated from other full median openings by a minimum distance of one-quarter mile along a Type B+ thoroughfare. Median openings shall be accompanied by median left-turn storage lanes with no less than 60 feet in length in both directions.
6. Hooded left-turn median openings at commercial driveways shall be designed with a barrier island that blocks all traffic movements from the adjacent driveways or cross-street, but allows left-turn movements originating from a Type B+ thoroughfare to turn at the median as shown in **Figure 3(e), and 3(f)**. Along Preston Road, hooded median openings may be allowed at predetermined locations by authorized city staff. Along Spring Creek Parkway, one hooded median opening serving each direction of travel may be allowed at the approximate midpoint between two adjacent full median openings. The hooded median opening must be at least 500 feet from the near side of any adjacent full median opening.
7. There are presently no plans to construct any grade-separated interchange on Preston Road or Spring Creek Parkway. The intersection of Preston Road and Legacy Drive should be monitored over time as future traffic conditions may require re-evaluation to determine if a grade-separated interchange would be necessary.

H. Tollway and Access-Controlled Highway Corridor Special Standards

The City Traffic Engineer, and/or City Engineer, have the authority to apply these standards to proposed street and infrastructure design and construction within the City of Plano. Authorized city staff may allow or require different values for design parameters than those given herein to resolve unusual field conditions, to better serve the safety, and/or to better meet other needs of the public infrastructure.

There are both tollways and access-controlled highways that operate within the City of Plano as further described below. The following standards will not apply to U.S. 75 as it was developed under very old requirements, and redevelopment would not be feasible under the current design standards. Access/drive design along the U.S. 75 service roads will be designed to Type C thoroughfare standards.

A segment of the Dallas North Tollway (DNT) runs through the western sector of the city. The DNT Corridor as defined by Plano is bounded on the north by SH 121 and on the south by the city limits. Its east and west boundaries are defined by two parallel thoroughfares - Parkwood Boulevard and Communications Parkway.

The President George Bush Tollway (PGBT) Corridor runs east-west, at or near the south city limit lines. Its east and west boundaries are the city limits.

FIGURE 3 (a)
TYPE B+
THOROUGH-
FARE
STANDARDS
 (for property
 with more than
 410 feet of
 frontage)

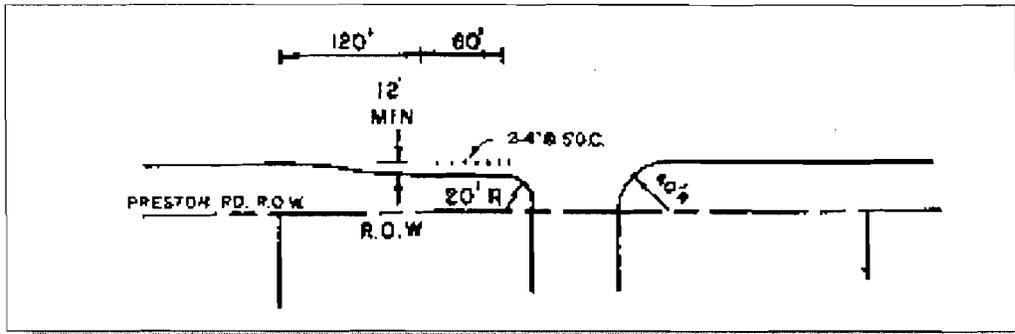


FIGURE 3 (b)
TYPE B+
THOROUGH-
FARE
STANDARDS
 (for property
 with more than
 380 to 410 feet
 of frontage feet)

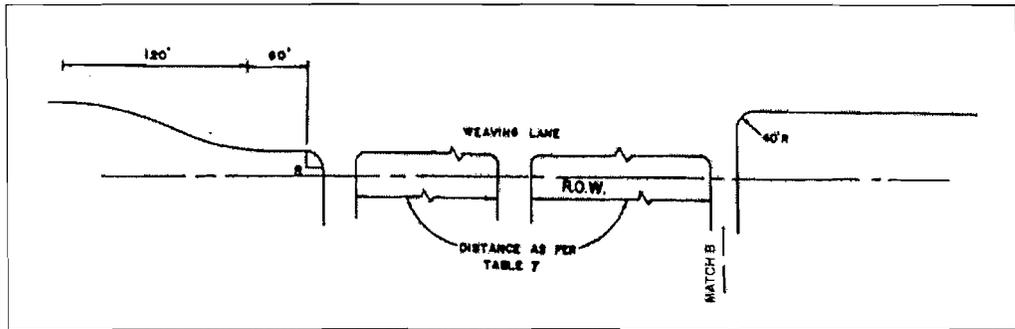


FIGURE 3 (c)
TYPE B+
THOROUGH-
FARE
STANDARDS
 (for property
 with less than
 380 feet of front-
 age)

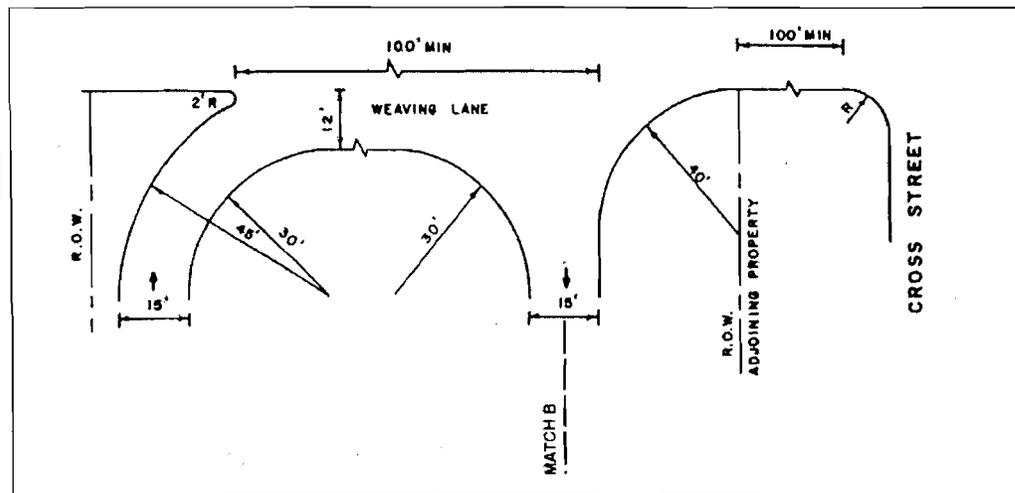


FIGURE 3 (d)
TYPE B+
THOROUGH-
FARE
STANDARDS
 (for property
 with downstream
 R-O-W being a
 street)

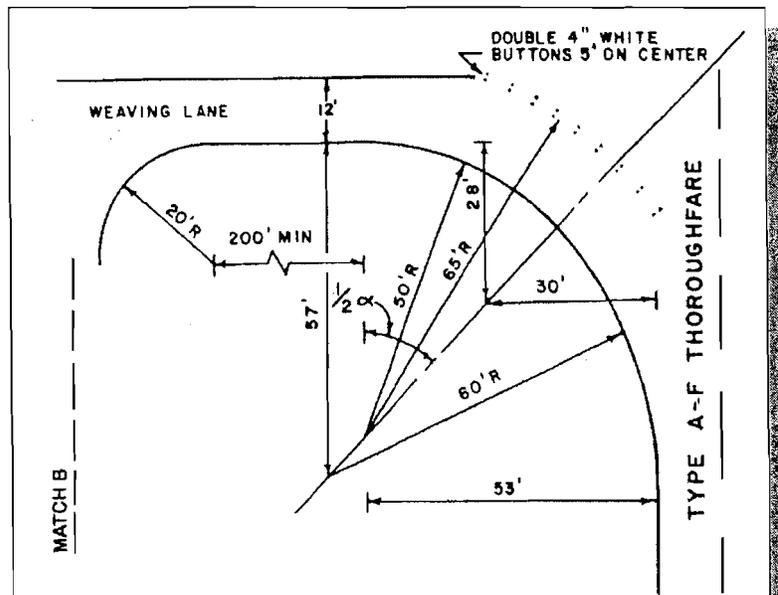


FIGURE 3 (e)
TYPE B+
THOROUGH-
FARE
STANDARDS
Hooded Median
Design

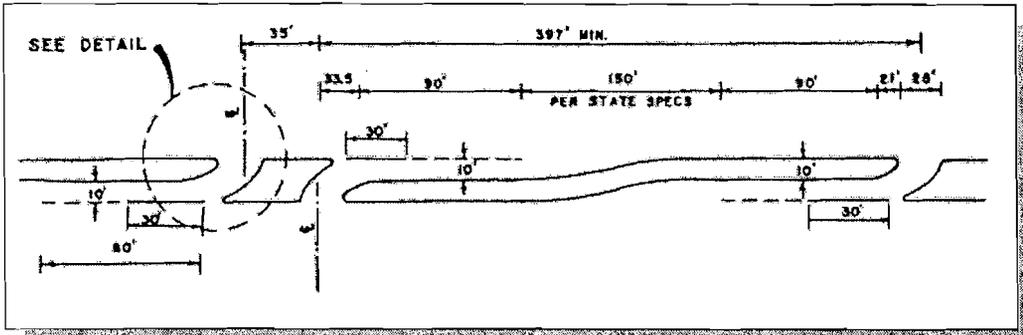


FIGURE 3 (f)
TYPE B+
THOROUGH-
FARE
STANDARDS
Hooded Median
Opening Detail

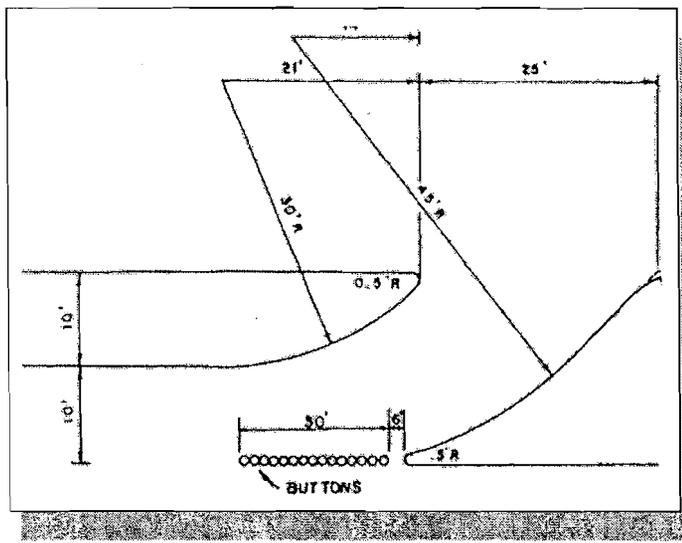
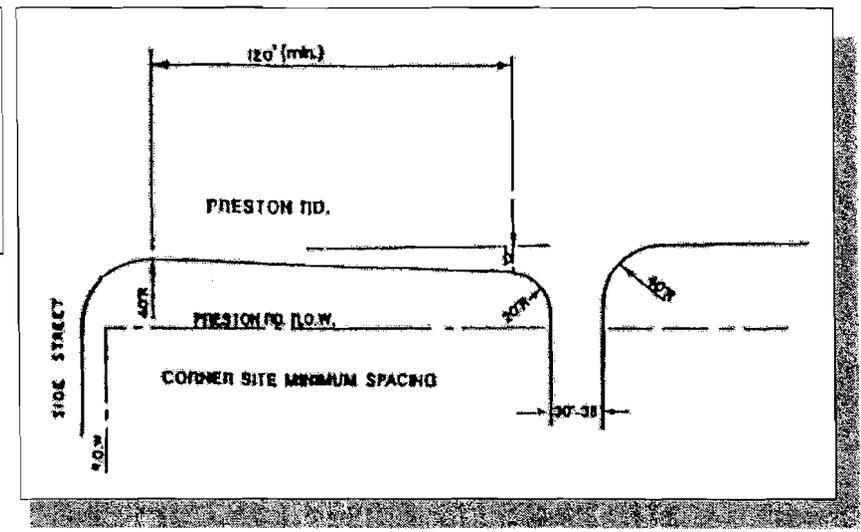


FIGURE 3 (g)
TYPE B+
THOROUGH-
FARE
STANDARDS
Minimum
Design



State Highway 121 (SH 121) runs approximately east-west, at or near the north city limit line. It is proposed to become a tollway for at least a portion of its length through Plano. It is bounded by the city limits (at Spring Creek Parkway) on the west, and Custer Road to the east.

United States Highway 75 (US 75) runs north-south in the eastern part of the city, and is bounded by PG&T to the south, and the city limits to the north.

Design standards for select elements of said corridors are detailed in the following sections.

1. Highway and Tollway Service Roads (one-way), except U.S. 75

- a. For driveway spacing relative to ramps gores, see section 2 below.
- b. For driveway-to-driveway spacing, and all other service road design elements under city jurisdiction, use the requirements of the Thoroughfare Standards Rules & Regulations herein, Section 2 below.

#3 2. Highway and Tollway Service Roads

- a. Place no driveway neither less than 50 feet in advance of the concrete curb gore, nor less than 460 feet beyond the painted gore tip of an exit ramp - see **Figure 4(d)**.
- b. Place no driveway neither less than 460 feet in advance of the painted gore tip, nor less than 50 feet beyond the concrete curb gore of an entrance ramp - see **Figure 4(c)**.
- c. For all other roadway design elements under city jurisdiction, use other requirements of the Thoroughfare Standards Rules & Regulations .
- d. Provide a minimum spacing of 400 feet from the intersection of a crossing thoroughfare to the first downstream driveway, and provide a minimum 160 feet to the first upstream driveway - see **Figure 4(b)**.
- e. Provide minimum spacing of 325 feet between individual driveways, except where two drives are served by one deceleration lane – where the minimum driveway spacing within the lane is 120 feet - see **Figure 4(a)**.
- f. Provide a deceleration lane with at least 60 feet of storage (120 feet transition, 12 feet wide) into all driveways or multiple driveways off the service road. One deceleration lane may serve multiple driveways - see **Figure 4(a)**.

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3. Thoroughfare Intersecting the DNT Tollway

Crossing thoroughfares are those streets that form an intersection, interchange, or otherwise cross the ROW of the DNT tollway to carry through traffic. At these ROW crossings, the following standards shall apply:

- a. Provide minimum spacing of 160 feet along the crossing street, from its intersection with the tollway, to the first driveway - see **Figure 5**.
- b. Starting with the second driveway, provide a minimum spacing of 150 feet between all driveways on a crossing street.
- c. On divided thoroughfares within the DNT Corridor, mid-block full-movement median openings are not allowed.
- d. On divided thoroughfares within the DNT Corridor, median hooded left turn lanes may be permitted mid-block as shown by **Figure 5** of the previous article.
- e. In the DNT Corridor, if only one mid-block turn lane is possible, priority will be given to the south side east of the tollway, and to the north side west of the tollway.

FIGURE 4(a)
DNT Driveway to
Driveway Spacing
Along Service
Road

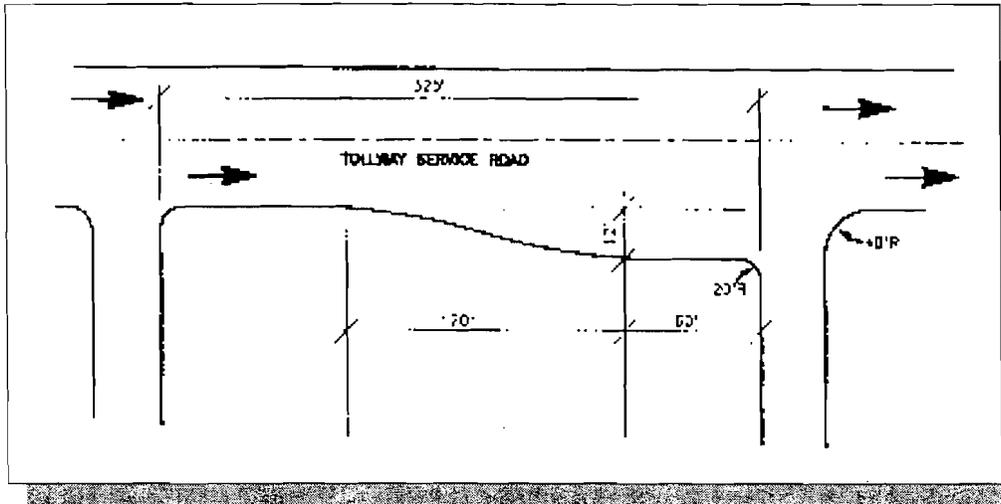


FIGURE 4(b)
DNT Driveway to
Thoroughfare
Intersection Spacing
Along Service
Road

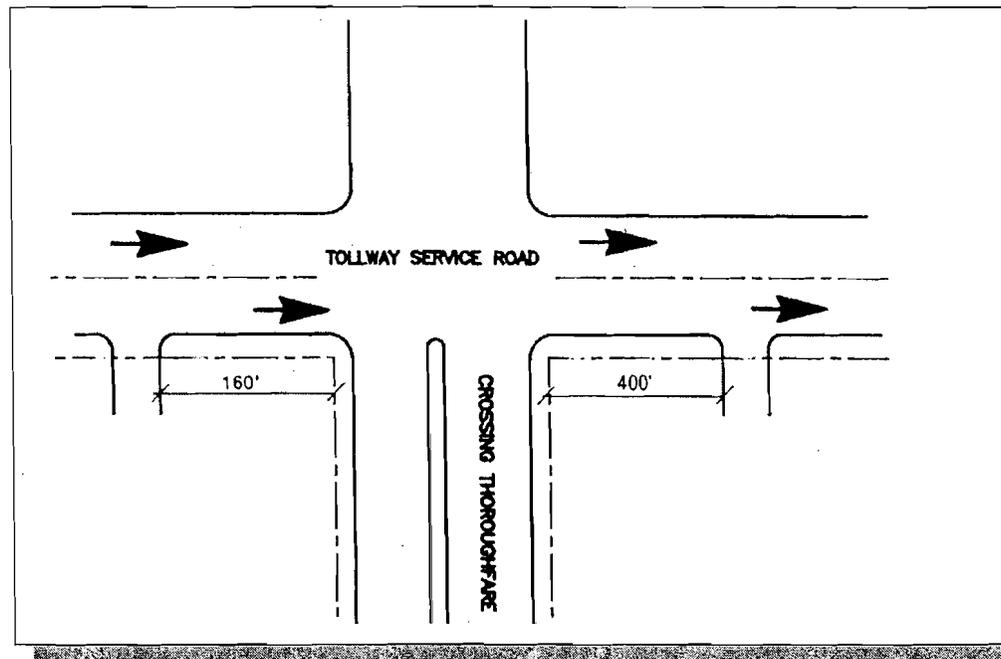


FIGURE 4(c)
DNT Driveway to
On-Ramp Spacing
Along Service
Road

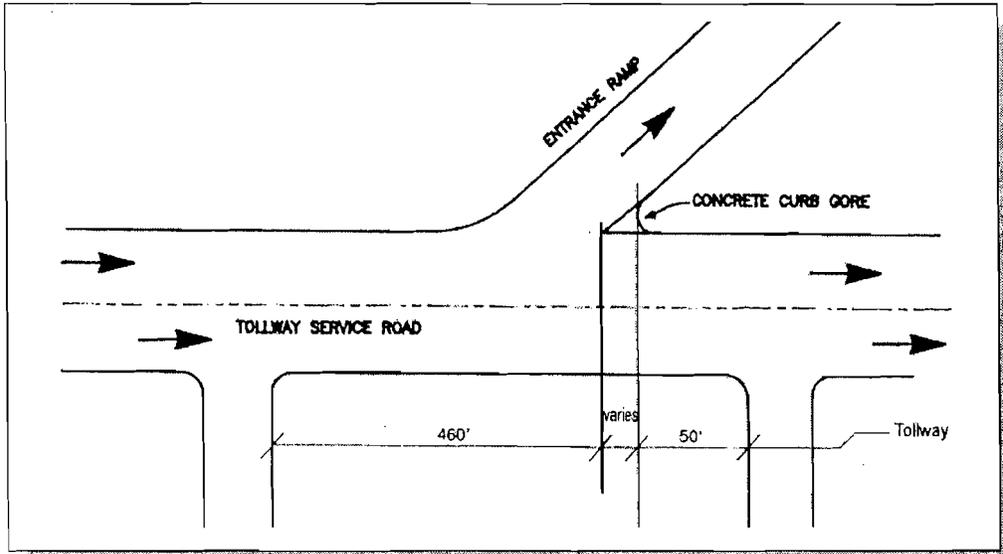


FIGURE 4(d)
TOLLWAY / SH
121 ACCESS
STANDARDS
Driveway to Off-
Ramp Spacing
Along Service
Road

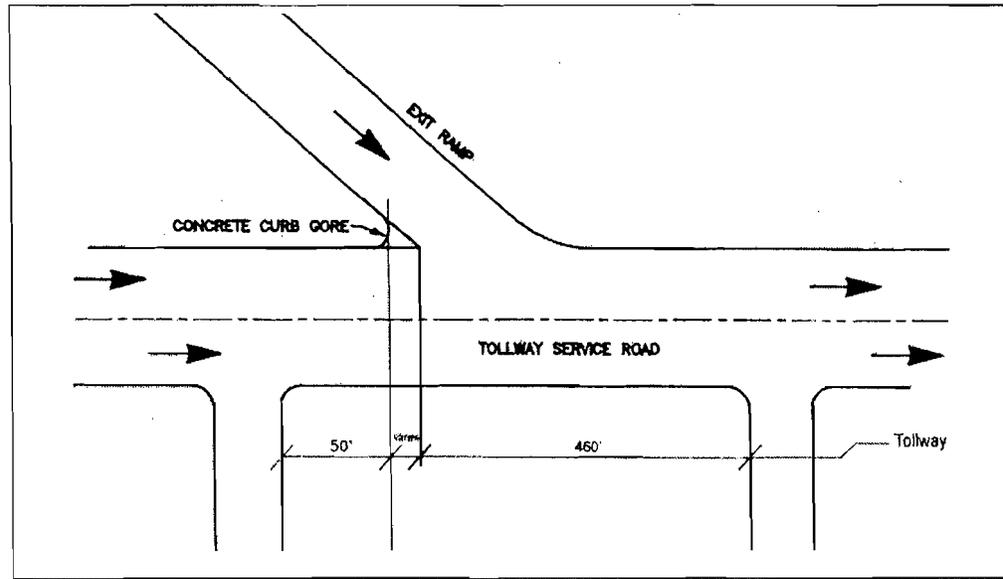
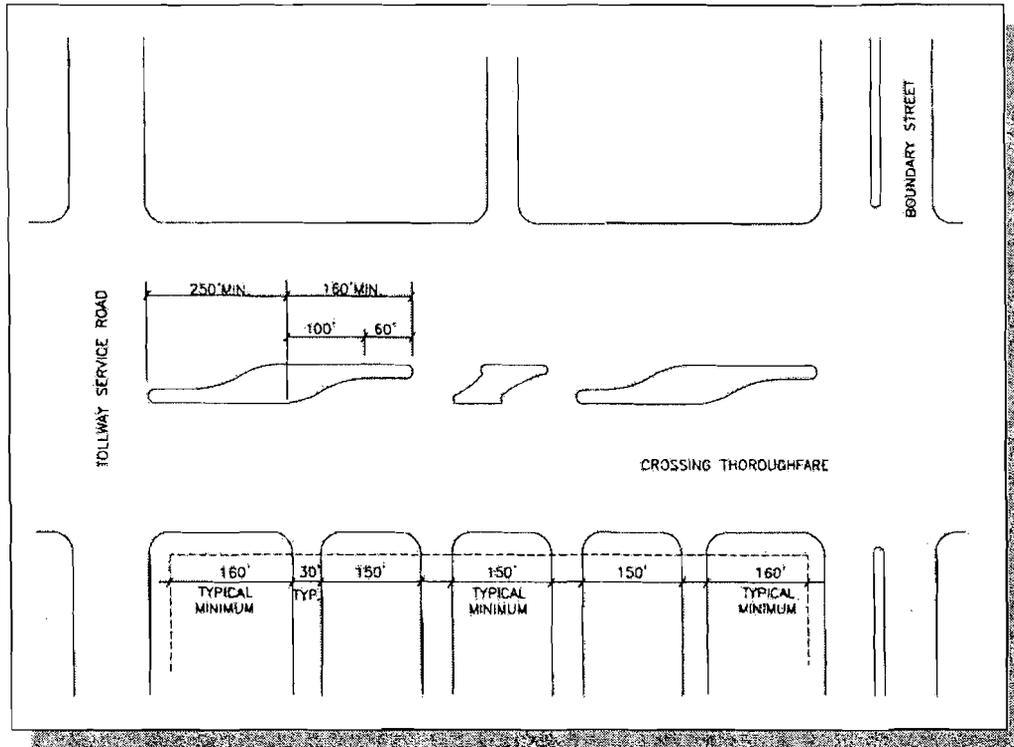


FIGURE 5
DALLAS NORTH
TOLLWAY
ACCESS
STANDARDS
Crossing
Thoroughfare
Drive Spacing



SECTION II. MEDIAN AND LEFT TURN LANE DESIGN STANDARDS

A. Median Width -

For regular thoroughfares not subject to special design standards covered in the previous section, the design standards herein shall apply. In general, the required median width varies from a minimum of 4' to a maximum of 28' depending on the thoroughfare classification of a given street as defined in the previous **Table 1**.

B. Required Median Openings and Left-Turn Lanes -

Median openings on divided thoroughfares shall be required at all at-grade street intersections, when those intersections are of a **Type B+, B, C, D, E, E+, and F**. Median openings may be required by authorized city staff at all other street intersections, private drives, and non-residential driveways. The driveways where a median opening is required must also conform to the spacing and other design requirements herein, and the overall geometrics of the street must accommodate a median opening. Also, the median opening shall also feature left-turn lanes in the median - one in each direction that serves a single approved driveway, or the approaches of a single intersection.

C. Cost of Median Openings and Left-Turn Lanes -

Median openings and left-turn lanes constructed to serve private drives and new roads shall be paved to City standards, inspected by City inspectors, and paid for by owners served by the median openings and left-turn lanes. The City of Plano shall pay the costs of median openings and left-turn lanes constructed to serve existing dedicated streets and drives, when a Community Investment Program widening project is undertaken by the City of Plano on an existing public street.

D. Minimum Design, Left-Turn Lanes -

The minimum left-turn lane design for regular thoroughfares shall be as described below, and as illustrated in **Figure 6**. Other standards may apply as defined herein for special thoroughfares.

1. All left-turn storage areas shall be a minimum of 10 feet wide with minimum storage length as defined in **Table 6** of this section.
2. The transition curves used in left-turn lanes shall be two, 250 foot radius reverse curves with a total transition length of 100 feet for single lanes. Add 100 feet to transition length for double-left turn lanes.

E. Minimum Design, Median Opening -

1. Median openings at intersections (as measured from nose to nose of the median) shall have a minimum opening distance equal to the width of the intersecting street as measured from right-of-way line to right-of-way line, unless otherwise approved by authorized city staff.
2. The width of a mid-block median opening – as measured longitudinally along the centerline of the street - shall not be less than 60 feet, –or greater than 70 feet unless otherwise approved by authorized city staff.
3. Using the above requirements, examples of the resulting minimum distance between two (2) median openings with left-turn lanes in opposite directions (for two different driveways/intersections) are:
 - a. 310 feet from nose to nose of the median from the intersection of two major thoroughfares to a street or drive (see **Figure 6**).
 - b. 260 feet from nose to nose of the median from the intersection of two secondary thoroughfares or a secondary thoroughfare and a major thoroughfare to a residential street or a drive, and,
 - c. 220 feet from nose to nose of the median for intersection combinations of drives and/or residential streets.

F. Medians Where No Left Turn Pocket is Needed -

1. In a given segment of median (typically between two intersection) where only one "nose" of the median has left-turn provided, and where the other end or nose of the median does not have a median left-turn (in the opposite direction) because a driveway cannot or will not be installed, then the minimum tangent distance between median end and the beginning of the transition for the single left-turn lane shall be 30 feet - see Figure 7.
2. If the left-turn storage is not required on either end of a median segment , but the median is simply a spacer or barrier between two median openings, the minimum length of said median segment shall be 50 feet, measured nose to nose. (see Figure 6).

G. Medians on Public Street Into Developments –

Medians may be installed on Type E thoroughfares or smaller (undivided streets) that intersect with an equal or higher type thoroughfare, if the smaller thoroughfare serves as an entrance to a subdivisions for the purpose of aesthetic or any other purpose. In such cases, the median shall be a minimum of 4 feet wide, a maximum of 10 feet wide and at least 90 feet long. Additional right-of-way may be required to accommodate the median.

H. Close or Modify Existing Media Opening

Existing median openings may be closed or modified by city staff to better meet the travel and access needs of a given road segment. City staff shall notify, in writing, the property owners within 500 feet of the proposed median modification as measured linearly along the street on either side of the median opening. Property owners in opposition may contact city staff to discuss the proposal. Property owners in opposition may request an appeal to the P&Z using the general appeal process.

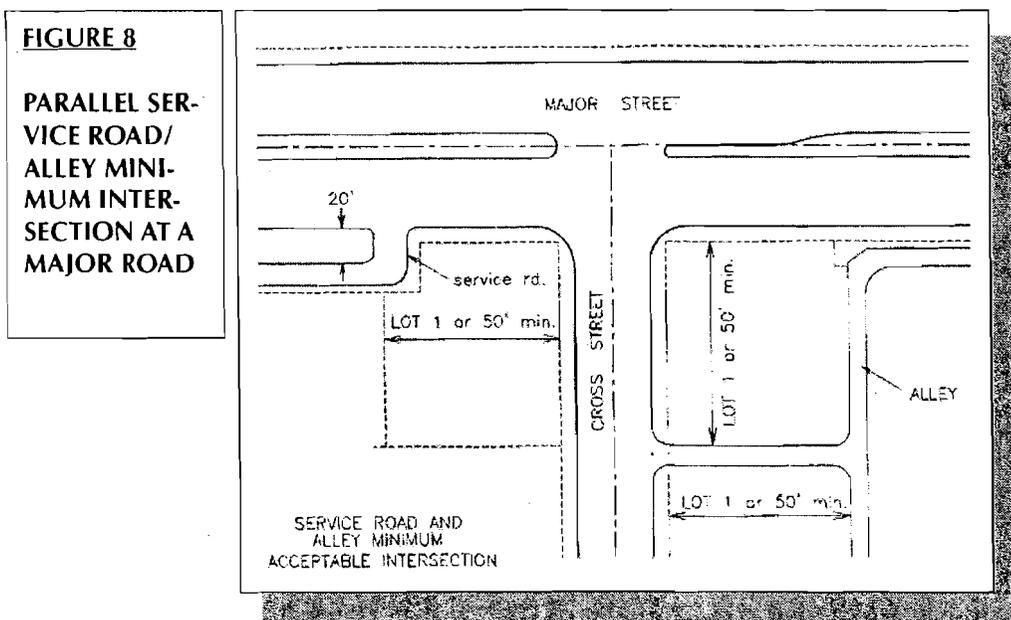
**TABLE 6
MINIMUM LEFT TURN STORAGE REQUIREMENTS**

INTERSECTING THOROUGHFARES	MINIMUM STORAGE
Major with major	150 feet
Major with Secondary	100 feet
Major with Residential	60 feet
Major with Private Drive	60 feet
Secondary with Major	100 feet
Secondary with Secondary	100 feet
Secondary with Residential	60 feet
Secondary with Private Drive	60 feet

SECTION III. ALLEY AND SERVICE ROAD DESIGN STANDARDS

- A. All alley junctions with streets shall be perpendicular or radial, within 5-degrees tolerance (in either direction), at the intersection of the right-of-way lines. At their intersection with streets, alley corner radii shall not be less than 15 feet.
- B. The distance between alleys on opposite sides of an undivided street shall be less than 15 feet or greater than 75 feet as measured between closest point between the face-of-curb of one alley and the face-of-curb of the other alley.
- C. Alleys shall not form junctions with Type D and larger thoroughfares. If an alley runs parallel to, and shares a common right-of-way line with a major thoroughfare, then its alignment shall curve away from the major street and connect with another area alleyway, thus avoiding the formation of a junction. This curved alignment of a parallel alley shall occur not less than one subdivision lot-width; or a minimum of 50 feet (whichever is greater) from a cross street intersection formed by another thoroughfare that is Type F or greater as indicated in **Figure 8**.
- D. Alley Visibility Obstructions : No fence, wall, screen, sign, structure, or foliage of hedges, trees, bushes, or shrubs shall be erected, planted or maintained in any alley right-of-way. However, the city may place traffic control devices as necessary. Foliage of hedges, trees, bushes, and shrubs planted adjacent to the alleys right-of-way which are not otherwise governed by the following triangles or Section 3-1000 of the Comprehensive Zoning Ordinance of the City, shall be maintained such that the minimum overhang above the ground 1 foot outside the edge of pavement shall be 14 feet. A minimum 12 foot overhang above the entire width of the alley shall be provided in every case.
- E. At the junction of alleys with city streets, if fencing or foliage is provided near or at the property line, it shall be placed in a configuration that creates a triangular clear zone whereby the sides of the resulting triangle are 8 feet in length. (Ref. Section 3-1000, Comprehensive Zoning Ordinance.)

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SECTION IV

ACCESS MANAGEMENT POLICY AND DRIVEWAY DESIGN STANDARDS

Many elements are involved in providing access to residential and commercial properties. However, for the purposes of this document, "access" (or access point) is defined as the location, frequency, spacing, and design of driveways along the frontage, or perimeter of a given property that allow vehicular traffic to cross between the public right-of-way to the private property, whether entering or exiting.

The City's policy on access management is to allow access points to be developed for a property that are consistent with the technical criteria herein, and that achieve a balance among the following major factors: the mobility needs of the adjacent roadway; the access needs of the property; the design parameters and operations of adjacent highway elements (state/federal); and the safety needs of general vehicular and pedestrian traffic. These and other technical factors should be considered in applying the design criteria herein.

The issue of access is covered in this section. Elements such as median openings and auxiliary lanes for driveways are covered elsewhere in this document, and may be a part of the technical considerations for an access point. **Table 7** specifies the relative distance between successive driveways on any given street, thoroughfare, or State roads within Plano. The sections below give further details about applying the access policy.

A. Procedure for Allowing Access on City Streets

1. Application Procedure

An applicant wishing to apply for a new access point should submit a site plan or concept plan depicting the driveway or median opening location on a given **city street**. Typically, these documents are generated as part of a new development approval process as required in the *Zoning and Subdivision Ordinance*. The proposed access point shall satisfy all applicable City requirements.

1

2. Deviation Procedure

A party wishing to deviate from the City's access standards for a driveway on a city street shall submit an engineering study detailing why a deviation from the criteria will not adversely affect vehicular and pedestrian traffic and safety. The engineering study is then subject to review and approval by authorized city staff.

The study area size and analysis requirements may be determined at the sole discretion of authorized city staff. However, the study area is generally limited to a 1,000-foot radius from the site containing the access point. The engineering study may typically include an analysis of the following considerations:

calculated site traffic assigned to the driveways and street network; existing area traffic; level of service analysis for street segments, driveways, unsignalized intersections, and signalized intersections for a given area; and a preliminary engineering plan depicting the proposed access deviation plotted in conjunction with the area city street network, including distances between the proposed drive, and other driveways, intersections, median openings, etc.

A constructability analysis should also be presented based on the preliminary design. Its purpose would be to illustrate site and area conditions that may impede an adherence to the standards of the access policy. Also, pedestrian access routes should comply with the Americans with Disabilities Act and Texas Department of Licensing and Regulation (TDLR) requirements.

B. Procedure for Allowing Access on State Roads

1. Application Procedure

An applicant wishing to apply for an access point on a new or existing state road should submit a site plan or concept plan depicting the driveway or median opening location on a given state roadway to the City. Typically, these documents are generated as part of a new development approval process as required in the *Zoning and Subdivision Ordinance*.

If the plan satisfies all applicable City and TxDOT (Texas Department of Transportation) requirements and standards, the access points on the plans will be certified as “access meets city requirements” by the City. If the proposed access points do not meet the access policy criteria (e.g. two successive driveways are too close), the access points will be certified as “access does not meet city requirements.” The applicant may then resubmit a modified access plan that does meet the existing technical criteria, or they may offer an alternative access strategy under the “deviation procedure” detailed below.

However, if the driveway is needed to keep from land-locking a property where TxDOT does not own the access rights, or if it is a replacement, or re-establishment of access to the state highway system under reconstruction, rehabilitation, then the full engineering study may be replaced by a preliminary design of access plan. This plan will be submitted to the city for review and approval by authorized city staff first, and then to the appropriate TxDOT office for review and approval.

The study area size and analysis requirements may be determined at the sole discretion of the authorized city staff – such as the Manager of the Transportation Engineering Division. However, the study area is generally limited to a 1-mile radius from the site containing the access point. The engineering study may typically include an analysis of the following considerations:

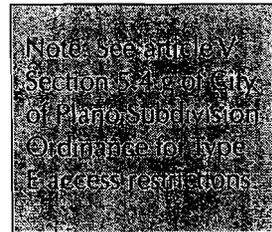
calculated site traffic assigned to the driveways and street network; existing area traffic – Including service road and ramp volumes; level of service analysis for ramps, ramp junctions, service roads, street segments, driveways, and signalized intersections for a given area; and a preliminary engineering plan depicting the proposed access deviation plotted in conjunction with the area city street and state road network, including distances between ramps and driveways.

A constructability analysis should also be presented based on the preliminary design. Its purpose would be to illustrate site and area conditions that may impede an adherence to the standards of the access policy. Also, pedestrian access routes should comply with the Americans with Disabilities Act and Texas Department of Licensing and Regulation (TDLR) requirements.

C. Driveway Definition

The definition of the driveway types, for the purposes of this document, are as follows:

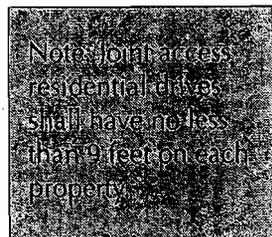
1. A “residential” driveway provides access to a single-family residence, to a duplex, or to a multi-family building containing five or fewer dwelling units. These drives shall be allowed to intersect and access some secondary thoroughfares and smaller streets only (Type E and smaller) only. All other access to residential property abutting all other thoroughfares shall be off an alley or a service road, but not the thoroughfare..
2. A “commercial” driveway provides access to an office, retail or institutional building, or to a multiple-family building having more than five dwelling units. Commercial drives shall be allowed to intersect and access Major or Secondary Thoroughfares only (Type B+, B, C, D, E, E+). It is anticipated that such buildings will have minor truck traffic for incidental service or delivery.
3. An “industrial” driveway serves truck movements to and from loading areas of an industrial facility, warehouse, distribution center, truck terminal, etc. Industrial drives shall access Major or Secondary Thoroughfares only (Type B+, B, C, D, E, E+).



At an industrial facility, a driveway whose principle function is to serve administrative or employee parking lots shall be considered commercial driveway.

Centralized retail development, such as a community or regional shopping center, may have one or more driveways specially designed, signed and located to provide access for trucks. Such driveways shall be considered industrial driveways.

4. For all types of driveways herein, two-way driveways shall always be designed to intersect the adjacent street at an approximate 90 degree angle. One-way driveways may be designed to intersect a street at an angle of either 90 degrees or 45 degrees.
5. Joint access residential drives shall have no less than 9 feet on each property.



D. Driveway Width

As the term is used herein, the width of a driveway refers to the width of pavement measured orthogonally between the two curb-lines of the same driveway that define the functional traffic lanes of the driveway, and that have a point-of-intersection with the curb radii that connect the driveway curb-lines to the adjacent street curb-lines.

1. Residential driveways onto streets shall have a minimum width of 12 feet and a maximum width of 24 feet (see **Figure 9 (a)**).
2. **Commercial/Industrial drives, two-way, two lane operation** - these types of driveways shall have their width determined as follows:
 - a. Commercial driveways shall have a minimum width of 24 feet and a maximum width of 30 feet. However, up to 40 foot width drives may be used for vehicle-fueling service stations see **Figure 9(b)**.
 - b. Industrial driveways shall have a minimum width of 30 feet and a maximum width of 40 feet - see **Figure 9 (b)**.

Note: Joint access commercial/industrial drives shall have no less than 10 feet on each property with the full drive width and access pavement to the property built for the development at the same time.

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3. Commercial/Industrial - two-way, three-lane operation - these types of driveways shall have their width determined as follows:

- a. Commercial driveways with two-way, three-lane operation shall have a minimum width of 36 feet and a maximum width of 40 feet.
- b. The radius for the inbound direction shall be 30 feet. The radius for the outbound direction shall be a minimum of 20 feet and a maximum of 30 feet.
- c. Pavement markings shall be installed to define the centerline between the opposing directions of travel and between the two lanes operating in the same direction.
- d. Pavement markings and signs to indicate the permitted or required exiting movements shall be installed and maintained by the property owner.
- e. The pavement markings shall be consistent with the Texas Manual on Uniform Traffic Control Devices, and/or with City practices and standard - see **Figure 9 (d)**.

Note: All commercial and industrial drive will have an unobstructed length of not less than 20 feet from the curb to the curb, or 30 feet from the roadway curb, whichever is greater, extending into the clear zone on each side of the drive, see figure 9 (b) & 9 (c).

4. Commercial/Industrial - two-way, divided, two-lane operation - these types of driveways shall have their width determined as follows:

- a. 90 degree drives shall have a width of 22 feet with a 30 foot radius for the inbound direction, and 22 feet of width for the outbound direction, with a separation or barrier median with a minimum width of 4 feet and a maximum of 10 feet - see **Figure 9 (c)**.
- b. Joint access commercial/industrial drives shall have no less than 10 feet on each property, with the full drive width and access pavement to the property built for the development at the same time.

Note: A summary of driveway width and angle requirements are given in Table 6.

TABLE 7
DRIVEWAY SPACING IN RELATION TO OTHER DRIVES GIVEN THE DESIGN SPEED OF THE STREET

STREET TYPE	DESIGN SPEED (MPH)	MINIMUM DRIVEWAY SPACING (FT)
F, G	30	90
D, E, E+	35	100
C	40	120
B, B+	45	150

TABLE 8
SUMMARY OF DRIVE REQUIREMENTS

	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	COMMERCIAL/ INDUSTRIAL-DIVIDED	
				IN	OUT
Minimum Width	12'	24' (two lane) 36' (three-lane)	30'	22'	22'
Maximum Width	24'	30' (two lane) 40' (three-lane)	40'	22'	22'
Curb Radii	5' - 10'	20'-30'*	25'-30'	30'	20'-30' Commercial 25'-30' Industrial
Intersecting Angle	90°, 45°	90°, 45°	90°, 45°	90°, 45°	90°, 45°

* 30 foot radius required for inbound direction on two-way three-lane drive

E. Driveway Radius

All driveways intersecting dedicated streets should be built with a circular curb radius connecting the raised curb line of the roadway to the curb line or pavement edge of the driveway. Driveway radii shall have a point-of-curvature on the adjacent street curb-line (typically established along the back-of-curb line), so that the rest of the driveway falls entirely within the subject property line. This does not apply to alleys.

1. 90 Degree Driveway Curb Radii

- a. The curb radii for a residential drive shall be a minimum of 5 feet and a maximum of 10 feet - see **Figure 9(a)**.
- b. The curb radii for a commercial drive shall be a minimum of 20 feet and a maximum of 30 feet, except as otherwise noted in this document.
- c. The curb radii of an industrial driveway shall be a minimum of 25 feet and a maximum of 30 feet - see **Figures 9 (b), 9 (c)**, except as otherwise noted in this document.

F. Driveway Spacing and Location in Relation to Other Drives

1. Residential - Driveways or access points on a given lot of land devoted to a single land use shall not occupy more than 70% of the linear frontage of one side of the lot adjacent to a roadway. No more than two (2) driveways or access points per adjacent street shall be permitted on any lot.
2. Commercial and Industrial - For a given tract of land or development, the spacing and location of driveways shall be a function of both existing adjacent driveways, and proposed driveways on other approved plans. The spacing between driveways shall depend upon the speed limit of the Major or Secondary Thoroughfare as shown in **Table 7**. Driveways shall not be permitted in the transition area of any deceleration lane or right turn lane.
3. The "minimum driveway spacing" shall be measured parallel to the street right-of-way between every two, successive driveways (both existing and proposed). The distance being measured will be from the beginning of the closest tangent curb-line of one driveway, to the closest tangent curb-line of the next driveway. Please note the measurement is not taken from centerline or radius of any driveway - see **Figure 9 (b)**.

G. Driveway Spacing in Relation to a Cross Street

1. 90 Degree Drive, Distance to Cross-street

- a. Driveways along the curblines of a Collector (Type F) or Residential Street (Type G and smaller) shall be located a minimum distance equal to the driveway radius from the end of the street radius of the closest intersection of a Type F or smaller street— see Figure 10(a). That is, the driveway radius may begin at the end of the intersecting street radius.
- b. Driveways along the curblines of a Residential Street (Type G or smaller), Collector Street (Type F), or Secondary Thoroughfare (Type D, E, E+) shall be located a minimum of 30 feet from the end of the street radius of the closest Major Thoroughfare (Type B, B+, C) or Secondary Thoroughfare (Type D, E, E+) – see Figure 10(b).
- c. Driveways along the curblines of a Major Thoroughfare (Type B, B+, C) shall be located a minimum of 100 feet from the closest right-of-way line of the closest intersection (any Thoroughfare type) along the Major Thoroughfare – see Figure 10(c). If the property frontage being served by said driveway is such that both the drive and the drive's curb radius cannot be totally within the proposed development, the drive shall be situated so as to create a joint access drive.

FIGURE 10(a)

DRIVEWAY SPACING IN RELATION TO A CROSS STREET — Driveway at 90° on a Collector or Residential Street

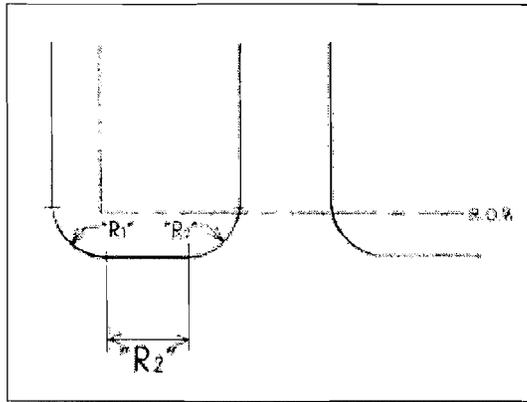


FIGURE 10(b)

DRIVEWAY SPACING IN RELATION TO A CROSS STREET — Driveway at 90° on a Secondary Thoroughfare

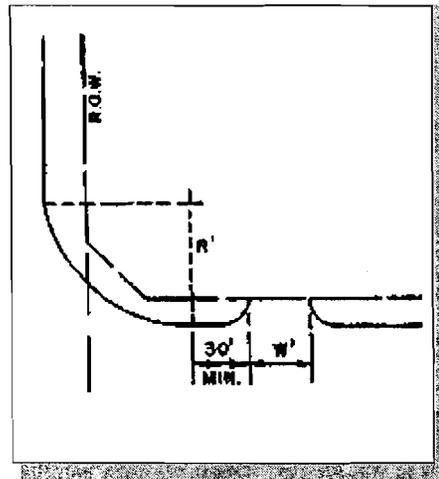
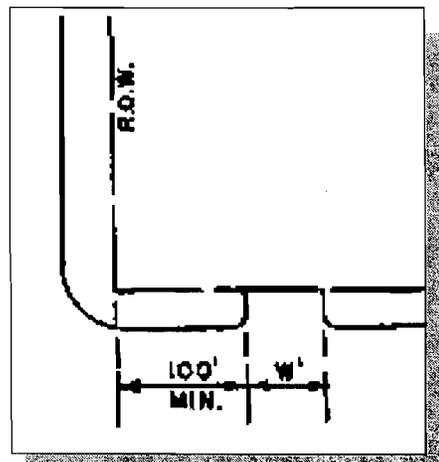


FIGURE 10(c)

DRIVEWAY SPACING IN RELATION TO A CROSS STREET — Driveway at 90° on a Major Thoroughfare



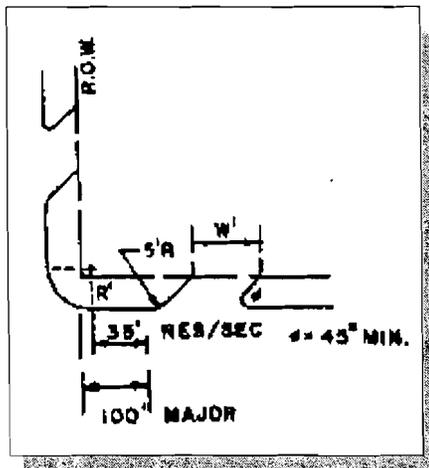
2. 45 Degree Drive, Distance to Cross Street

- a. If one-way angle drives are used, the radius for the driveway on a Residential Street, Collector, or Secondary Thoroughfare shall be a minimum 35 feet from an intersecting street's end of curb radius. On a Major Thoroughfare, the drive shall be located a minimum of 100 feet from the closest right-of-way line of the closest street intersection (any Thoroughfare Type) along the Major Thoroughfare. If the property frontage being served by said driveway is such that both the drive and the drive's curb radius cannot be totally within the proposed development, the drive shall be situated so as to create a joint access drive - see **Figure 10(d)**.

3. Driveways at 90 Degree Corners

Commercial and industrial driveways and driveways serving other than a single family residence shall not be located within the limits of the radius at approximate 90 degree corners or turns. Driveways located near approximate 90 degree corners or turns should be at least as far away from the corner as the spacing requirements established in 1 and 2 above.

FIGURE 10(d)
ANGLE DRIVEWAY SPACING IN RELATION TO A CROSS STREET



Section V

Sidewalk and Location Design Standards

A. Definition of Sidewalk

A sidewalk is defined as that paved area in a roadway right-of-way between the curb line or the edge of pavement of the roadway and the adjacent property lines for the use of pedestrians. The maximum grade of the sidewalk shall be 1/2" per foot, the maximum crossfall of the sidewalk shall be 1/4" per foot. However, the sidewalks shall also be designed in accordance to the requirements of the Americans with Disabilities Act (ADA) regulations where applicable.

Sidewalks shall conform to the following standards:

1. Zoning Classification Requiring Sidewalks - Concrete sidewalks designed and located according to City standards shall be constructed along all streets in all zoning classifications except agriculture zoning. Sidewalks shall be built at the time of site development. Should it be impractical to install the sidewalk at that time, funds for the sidewalk construction shall be placed in escrow with the City for use when the City determines sidewalks are needed. Payment of escrow shall be made prior to site plan or final plat approval.
2. Residential Areas (Single Family and Duplex) - A concrete sidewalk, minimum 4 feet in width, shall be located within the street right-of-way (R-O-W), 2-1/2 feet from the R-O-W line, unless pre-existing physical encroachments (e.g. utility infrastructure or trees) dictate otherwise. An adequate passing zone as defined in the Americans with Disabilities Act Accessibility Guidelines (ADAAG) should be provided where appropriate along the sidewalk. Sidewalks and parkways (curb to R-O-W) shall be graded at 1/4 inch per foot above the top of the street curb.
3. Non-residential Areas and Apartment Complexes - A concrete sidewalk, a minimum 4 feet in width, shall be located in street right-of-way (R-O-W) not more than 2 1/2 feet from the R-O-W line. An adequate passing zone as defined in the Americans with Disabilities Act Accessibility Guidelines (ADAAG) should be provided where appropriate along the sidewalk. If other materials are placed in the R-O-W between the sidewalk and curb, the material shall meet City specifications and be of a color and texture distinctly different from the sidewalk and specified on the site plan.
4. Meandering Sidewalks - Sidewalk easements adjacent to the standard R-O-W will be required, if necessary, for meandering sidewalks. The edge of the sidewalk closest to the street shall be located minimum 5 feet from the back-of-curb and shall meander into the sidewalk easement. Sidewalk easements shall provide a minimum clearance of 2-1/2 feet beyond the edge of the sidewalk farthest from the street.
5. Exceptions - If it should be necessary to construct the walk adjacent to the curb line, the walk shall be a minimum of 5 feet in width. If the required sidewalk is to be placed outside of the roadway right-of-way, it must be placed in a sidewalk easement. Approval of planned exceptions and sidewalk easements shall be made at the time of site plan or plat approval.
6. Waiver - The sidewalk required in non-residential areas may be waived by the Planning & Zoning Commission either temporarily or permanently at the time of site plan or final plat approval. The Waiver may be granted based on site conditions and/or location of the tract.
7. Areas Without Screening Walls - In areas on major and secondary roadways where screening is not required or a type of screening other than a wall is used, (e.g., a berm, foliage, etc.) a minimum 4 foot sidewalk will be constructed not more than two and 2-1/2 feet from the right-of-way line.
8. Areas with Screening Walls - In areas where a screening wall is provided, a concrete sidewalk shall be constructed contiguous with the screening wall. The street side of the sidewalk shall run parallel to the street curb. The sidewalk shall be a minimum of 5 feet wide and the measurement shall be made from the

street side of the sidewalk to the face of the screening wall columns.

9. Sidewalk on Bridges. Bridges on Type C or larger thoroughfares shall have a sidewalk constructed on each side of the bridge. If the sidewalk is part of a designated or planned bike route the minimum width of sidewalk shall be 10 feet to accommodate two-way bike traffic. If the sidewalk is not part of a bike route, the minimum width of sidewalk shall be 6 feet. In both cases, a parapet wall shall be provided adjacent to the curb of the thoroughfare, and with a standard pedestrian bridge rail protecting the sidewalk on the outside edge of the bridge.
10. Sidewalks Under Bridges. When a pedestrian pathway is needed along the embankment of a roadway that traverses under the bridge of another roadway - new or reconstructed, and if the subject sidewalk is part of a designated or planned bike route, the minimum width of sidewalk shall be 10 feet to accommodate two-way bike traffic. If the sidewalk is not part of a bike route, the minimum width of sidewalk shall be 8 feet.

B. Barrier-Free Ramps -

Curbs and walks constructed at intersections of all streets and thoroughfares must comply with the provisions of the ADA and be constructed in a manner to be easily and safely negotiated by disabled persons. Additionally, they should also meet the city standards as detailed in the city's *Standard Construction Details* plan sheets.

Section VI Public Right-of-Way Visibility

A. Visibility Triangles

It is the goal of the city to maintain adequate visibility between opposing or conflicting traffic movements at intersections and at access point locations where private streets or commercial or industrial driveways connect to public streets. This is accomplished by restricting the presence of obstructions within specified areas of the right-of-way and adjacent property at and/or near the intersection corners or access points.

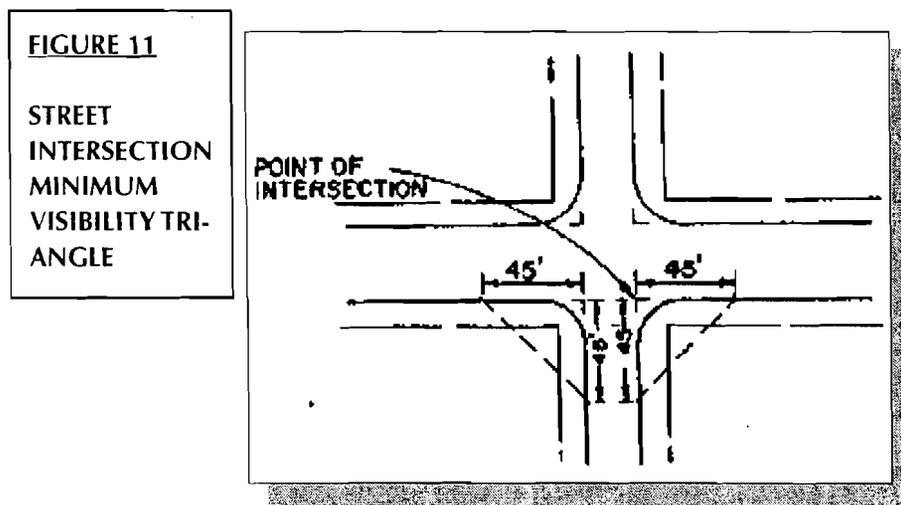
This corner clear zone is equivalent to the portion of the driver's field of vision (or cone of vision) necessary to maneuver through an intersection, and it can be defined as a "visibility triangle" as detailed herein.

A plan showing the plan/profile of the street on both sides of each proposed intersection or access point to the proposed development with the grades, curb elevations, adjacent intersections or access points, and all items (both natural and man-made) within the visibility triangles shall be provided with all site plans, if not already shown on engineering plans that are submitted at the same time.

The plan and profile shall be free of obstructions within the horizontal and vertical limits of the visibility triangles defined herein.

1. Visibility Triangle Obstructions Defined: Obstructions within a visibility triangle include fences, walls, screens, signs, structures, foliage, hedges, trees, bushes, shrubs, berms, parked vehicles, or any other item or element, either man-made or natural that are erected, built, planted, or maintained.

However, single-trunk trees, traffic control devices, street lights, and other utility elements that cannot reasonably be placed elsewhere, may be placed within a given visibility triangle.



2. Minimum Visibility Triangle Defined

- a. The field of vision at intersections and access points shall have a clear zone free of obstructions between the elevation of 2.5 feet (30 inches) and 9 feet above the average gutter elevation within a triangular area formed by extending the two curb lines 45 feet back from their imaginary point of intersection at each corner of the given intersection, and connecting the two resulting end points with an imaginary line, thereby making a right triangle (90-degree) for the typical intersection as shown in **Figure 11**.
- b. The criteria for the minimum triangle applies to intersections and access points that are controlled by a Yield sign, Stop sign, traffic signal, or no traffic control device. Furthermore, the visibility triangle shall be used when considering intersections that are existing, proposed, under construction, and existing intersections with proposed modifications.
- c. The minimum visibility triangle at intersections and access points with a slight skew angle should be drawn to approximate an orthogonal intersection. The minimum triangle at intersections with a significant skew angle (over 30 degrees) may be increased or modified by authorized city staff to maintain or improve the field of vision of drivers.
- d. The minimum visibility triangle at an intersection or access point within a curve on the street alignment should be drawn to approximate a street with a linear alignment.
- e. If there are no curb lines existing, the triangular area shall be formed by extending imaginary lines along the property lines from their real intersection point 30 feet back from the street intersection, and then connecting the two resulting end points with an imaginary line, thereby making a triangle similar to the one shown in **Figure 11**.

3. Desirable Visibility Triangle Defined:

- a. The field of vision at intersections and access points shall have a clear zone free of obstructions between the elevation of 2.5 feet and 9 feet above the average gutter elevation, within a "desirable" visibility triangle area as detailed further in this section. The desirable visibility triangle is not intended for application at intersections of two Type G roadways, at access points along the curblines of a Type G or smaller street, at intersections of a Type G with a Type F or smaller street, or at residential driveways.
- b. The criteria for the minimum triangle applies to intersections and access points that are controlled by a Yield sign, Stop sign, traffic signal, and those with no traffic control devices. Furthermore, the desirable visibility triangle shall be used when considering intersections that are existing, proposed, under construction, and existing intersections with proposed modifications.
- c. In previous years, the visibility triangle was based in part on the stopping sight distance of the opposing cars, a distance which can vary with road speed. However, the year 2001 edition of AASHTO's Policy on Geometric Design of Highways and Streets presents a method based on "gap acceptance" which is adopted herein.

The gap acceptance method is based on research that shows the driver on the minor street requires a small time period when there is no oncoming traffic near the intersection to execute a maneuver. This "gap" in the traffic stream, as measured in seconds, tends to remain constant for a variety of speeds and conditions.

The standard, minimum case for the desirable triangle requirement herein includes a 8.0 second time gap to accommodate left, right, or through movements of a passenger vehicle from a cross-street to a major, multilane street (6-lane divided street). The cross-street centerline grade can vary between 3% upgrade (uphill), to a 3% downgrade (downhill) value of for the standard case. **Table 9** summarizes the length of the triangle leg along the major street, which uses the same value for a left-turn or right-turn triangle. The through movement is automatically covered by these two triangles.

In the event that the posted speed limit and the design speed are not the same, the higher of the two speeds shall be used to determine the visibility triangle. **Figure 12** depicts the typical geometric construction of a visibility triangle for a given cross-street. Note that significant portions of the median may be encompassed by these triangles.

FIGURE 12

**STREET
INTERSECTION
DESIREABILITY
VISIBILITY
TRIANGLE**

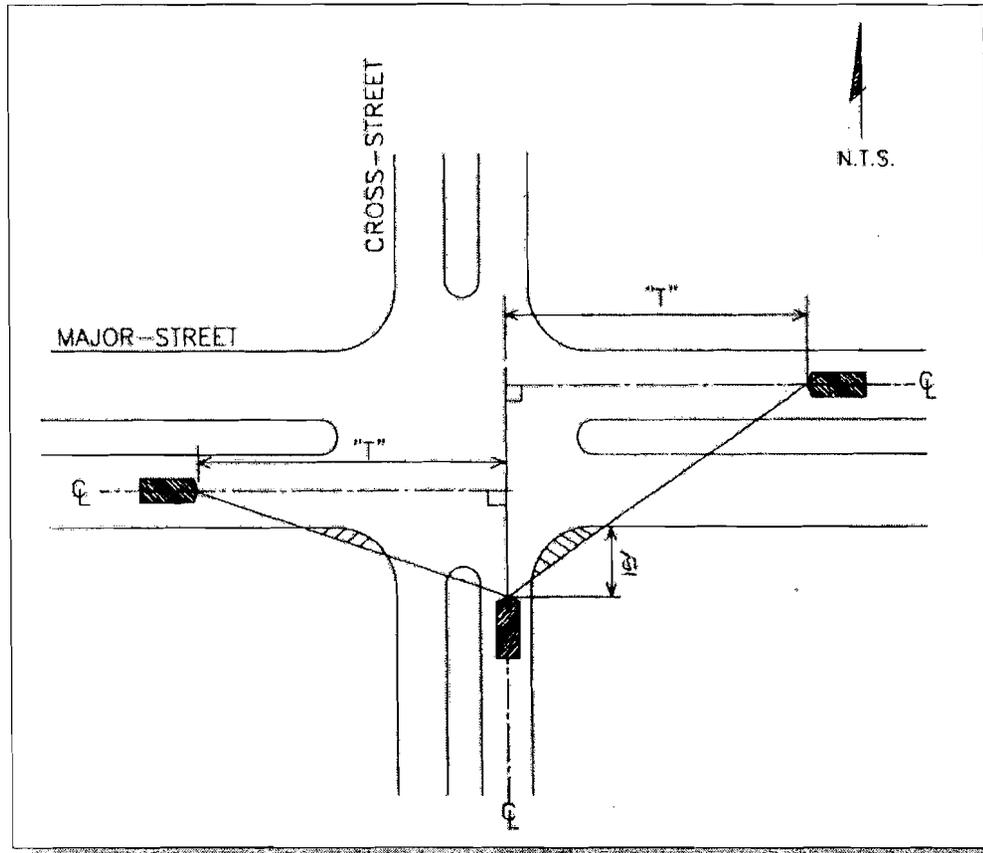
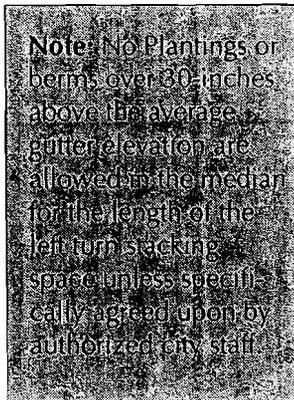


TABLE 9
MINIMUM SIGHT
DISTANCE AT
AN INTERSECTION

STREET TYPE	SPEED LIMIT	T (FT.)
F, G	30	355
D, E, E+	35	415
B, C	40	475
B+	45	535

#2

- d. The desirable visibility triangle at intersections and access points where the minor street or driveway grades are greater than 3-percent (up or down), the triangle dimensions may be increased or modified by authorized city staff to maintain or improve the drivers field of vision based on the AASHTO manual.



- e. The desirable visibility triangle at intersections and access points with a slight skew angle will result in an acute or obtuse triangle, rather than a right-triangle (90-degrees). The desirable visibility triangle at intersections and access points with significant skew angles (greater than 30 degrees) may be increased or modified by authorized city staff to maintain or improve the field of vision of drivers. Additional analysis based on the AASHTO manual may be required by authorized city staff to determine an adequate visibility clear zone.
- f. The desirable visibility triangle at an intersection or access point where the street alignment has a slight curvature should be drawn to approximate a street with a linear alignment. The desirable visibility triangle at intersections and access points on streets with significant curvature (centerline alignment with a degree of curvature of 7 or sharper) may be increased or modified by authorized city staff to maintain or improve the field of vision of drivers. In these cases, the visibility triangle technique may not be adequate to define a clear zone in the drivers field of vision, and additional analysis based on the AASHTO manual may be required by authorized city staff to determine an adequate clear zone. In general, intersections and access points along a sharp curve on a major street should be avoided in design.
- g. For intersections that are constructed in phases and put into operation during or between construction phases, the desirable visibility triangle shall be established at the initial phase to cover the geometric condition that requires the largest, or most restrictive visibility triangle for any of the foreseeable phases or planned, final street intersection geometry.

For example, in some cases the largest visibility triangle may be required for the final geometric condition of the intersection, but said triangle shall be established with the initial phase of construction.

4. **Geometric Construction for Desirable Visibility Triangle for a Typical Intersection** - In the plan view, the horizontal clear area at the intersection of a proposed street/drive shall be defined as being within a triangular area formed by the following imaginary lines (see **Figure 12**):
- The vertex of the triangle, which shall be a point along the approach centerline of the proposed side street, is 15 feet back from the tangent curb of the major street.
 - A line shall extend the centerline of the approach cross-street from the vertex forward to an intersection point with the centerline of one of the two approach sides of the major street, forming approximately a 90 degree angle. (Intersections with slight skews are allowed by other criteria herein.)
 - A line shall extend back from the intersection point along the major street approach centerline to a distance "T" away from the minor street and stop at an endpoint.
 - A line that shall connect the endpoint on the major street to the vertex on the minor street, thus forming a visibility triangle.

B. R.O.W. Obstructions Outside the Visibility Triangles

1. Fences, walls, screens, signs and other structures shall conform to the Comprehensive Zoning Ordinance of the City, as amended, and to the Sign Ordinance of the City.
2. Foliage of hedges, trees and shrubs in public right-of-ways which are not otherwise governed by Section 3-1000 or 1200 of the *Comprehensive Zoning Ordinance of the City*, or the visibility triangles described herein shall be maintained such that the minimum vertical clear zone for tree and foliage overhang above a sidewalk shall be 7 feet, and the minimum vertical clear zone for tree and foliage overhang above street pavement shall be 14 feet. The vertical clearances stated above shall apply on all Type E and above thoroughfares. The City of Plano Property Standards Department establishes vertical clearance guidelines for smaller streets (Type F, and G).
3. All other areas within medians and islands in the street rights-of-way shall be clear at elevations between 2.5 feet and 9 feet above the average gutter elevation.
4. Plants in the public right-of-way that will grow over 30-inches (when mature) above the adjacent street's average gutter elevation shall conform to all of the above requirements, where applicable. All landscape plans shall show all items as prescribed by the Parks and Recreation Department and Planning Department, including:
 - a. The locations and type of such plants; and
 - b. The prescribed visibility triangles.
5. Ground elevations, within both triangles, will be shown by contour lines.

C. Abatement.

1. The City Manager of the City of Plano, or his designee(s), shall have the authority to enforce the provisions of this Section.
2. When foliage is identified by authorized city staff (including staff from the **Property Standards Department**) within the restricted height, or in a visibility triangle, and the foliage is on the median or other area in the street ROW that is not immediately adjacent to private property, then the **Parks Department** will trim or removes the foliage.
3. When a foliage is identified by authorized city staff (including staff from the **Property Standards Department**) within the restricted height, or in a visibility triangle, and the foliage is immediately adjacent to a private property, then the Property Standards Department **contacts the property owner in an adequate manner** as prescribed by ordinance and requests that the plants be trimmed or removed. As detailed in the Code of Ordinances Section 14-3, and Section 15-17, the adjacent property owner is required to maintain the plants within the defined, adjacent ROW.

D. Preservation of existing laws.

Nothing contained in this Section shall be construed so as to amend, alter, change or repeal any provision or regulation of the Comprehensive Zoning Ordinance of the City or the sign ordinance of the City.

SECTION VII

#9 ALTERNATIVE SUBDIVISION STREET & SIDEWALK STANDARDS (NEW DRAFT SECTION)

A. Introduction

General subdivision street and sidewalk standards are not always appropriate for some types of enhanced-density, "new urbanism", or residential-commercial mixed-use development, where high pedestrian activity and lower vehicular activity is to be encouraged. Therefore, alternative standards are provided for local street design that serve certain types of development with defined zoning categories.

B. Front Entry Lots

The street must be built to standard design (50 feet of ROW; 27 feet of pavement) when on-street parking is expected. Where lots are too narrow to allow on-street parking (front entry townhouses, for example), street width may be reduced to 46 feet of ROW, 24 feet of pavement only with the construction of adequate off-street visitor parking. Standard streets must be provided for developments that provide a mix of rear entry and front entry lots.

C. Rear Entry Lots

Since on-street parking can be expected on both sides of the street with rear-entry lots, a standard street design must be provided, unless houses are grouped around courtyard cul-de-sacs that provide off-street parking.

D. Mews Streets

Mews streets are designed to provide garage and service access to individual lots. The minimum design standard for mews streets is 28 feet of ROW with a minimum 22 feet of paved drive lane. Parkways must be paved with a contrasting material. No parking is allowed on mews streets unless additional ROW is provided. If individual garages access Mews Streets, the face of the garage must be placed between 0-3 feet from the ROW line, or at least 20 feet. Because of the significant challenges which can exist with many sites using Mews streets, individual consideration may be given to approve variations to these standards.

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 18, 2009

Agenda Item No. 14

Request to Call a Public Hearing

Applicant: City of Plano

DESCRIPTION:

A request to call a public hearing to amend the mini-warehouse/public storage requirements of the Zoning Ordinance.

REMARKS:

Recently, staff has received several inquiries pertaining to the adaptive reuse of existing large, vacant retail buildings as mini-warehouse/public storage uses. In some cases, it may be possible to add a second floor to the interior of these types of structures thus increasing the gross floor area of the building.

During 2002, the Zoning Ordinance was amended to increase the maximum lot coverage for mini-warehouse/public storage uses to 50% in Retail, Light Commercial, and Commercial Employment districts since the typical mini-warehouse/public storage development necessitated 45-50% lot coverage. However, an increase in the floor area ratio (density) was not contemplated at that time. Additionally, it appears that multi-story mini-warehouse/public storage developments with internally accessible storage units were not considered.

Staff believes that it may be appropriate to consider allowing for an increase in maximum allowable floor area ratio for these types of developments. Therefore, staff requests that the Planning & Zoning Commission call a public hearing to amend the mini-warehouse/public storage requirements of the Zoning Ordinance.

RECOMMENDATION:

Recommended that a public hearing be called for this purpose.