

**PLANNING & ZONING COMMISSION
JUNE 20, 2005**

COMMISSIONERS PRESENT

Laura Williamson, Chairman
Lee Dunlap
Joyce Beach, 2nd Vice Chair
Carolyn Kalchthaler, 1st Vice Chair
Jerry Kezhaya
Lisette Briley
Joy Flick
Dennis Abraham

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Kent McIlyar, Assistant City Attorney III
Tom Elgin, Development Review Manager
Christina Day, Sr. Planner
Charles Lee, Planner
Bester Tauro, Planner
Eric Hill, Planning Technician
Michelle Campolla, Sr. Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Williamson at 7:00 p.m., Monday, June 20, 2005.

Commissioner Kezhaya made a motion to approve the agenda as presented. Commissioner Dunlap seconded the motion, which passed 8-0.

Commissioner Dunlap made a motion to approve the June 6, 2005, meeting minutes. Commissioner Flick seconded the motion, which passed 8-0.

Commissioners Dunlap and Flick requested Agenda Item Nos. 5i, 5j, 5k and 5m be pulled for individual consideration, respectively. Commissioner Kezhaya made a motion to approve the remainder of the consent agenda. Commissioner Briley seconded the motion, which passed 8-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - PRELIMINARY PLAT 72/COIT CENTER, BLOCK A, LOT 5 APPLICANT: JHA MAPLESHADE, L.P.

One office building and three future office buildings on one lot on 2.0± acres located at the northwest corner of Silverglen Drive and Mapleshade Lane. Zoned Corridor Commercial and Light Industrial-1.

Approved as submitted.

AGENDA ITEM NO. 5B - SITE PLAN 72/COIT CENTER, BLOCK A, LOT 5 APPLICANT: JHA MAPLESHADE, L.P.

One office building and three future office buildings on one lot on 2.0± acres located at the northwest corner of Silverglen Drive and Mapleshade Lane. Zoned Corridor Commercial and Light Industrial-1.

Approved as submitted.

AGENDA ITEM NO. 5C - REVISED CONVEYANCE PLAT 3/MCDERMOTT SQUARE, BLOCK A, LOT 1-6 APPLICANT: MCDERMOTT SQUARE, L.P.

Six conveyance lots on 14.8± acres at the northeast corner of McDermott Road and Independence Parkway. Zoned Planned Development-400-Retail.

Approved as submitted.

AGENDA ITEM NO. 5D - REVISED PRELIMINARY SITE PLAN 3/MCDERMOTT SQUARE, BLOCK A, LOTS 1-6 APPLICANT: MCDERMOTT SQUARE, L.P.

A retail shopping center with retail shops, a restaurant with drive-through lanes and a convenience store with gasoline pumps on six lots on 14.8± acres at the northeast corner of McDermott Road and Independence Parkway. Zoned Planned Development-400-Retail.

Approved as submitted.

**AGENDA ITEM NO. 5E - REVISED SITE PLAN
32/PLANO DAY CARE ADDITION, BLOCK 1, LOT 1R
APPLICANT: I & C INVESTMENT VENTURE**

A day care center expansion on one lot on 2.5± acres located on the west side of Ohio Drive, 530± feet south of Lorimar Drive. Zoned Retail with Specific Use Permit #119.

Approved subject to Fire Department approval of minimum hose lay length variance.

**AGENDA ITEM NO. 5F - FINAL PLAT
16/WHITESTONE ADDITION, BLOCK A, LOT 5
APPLICANT: WHITESTONE PARTNERS, LLP**

A medical and general office building on one lot on 3.0± acres located west of Preston Road, 360± feet north of Commonsgate Boulevard. Zoned Commercial Employment.

Approved as submitted.

**AGENDA ITEM NO. 5G - PRELIMINARY PLAT
2/SIGNATURE PLAZA, BLOCK A, LOT 5
APPLICANT: REGENCY CENTERS**

A bank with drive-through lanes on one lot on 1.0± acres located on the south side of State Highway 121, 300± feet east of Coit Road. Zoned Regional Commercial.

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

**AGENDA ITEM NO. 5H - SITE PLAN
2/SIGNATURE PLAZA, BLOCK A, LOT 5
APPLICANT: REGENCY CENTERS**

A bank with drive-through lanes on one lot on 1.0± acres located on the south side of State Highway 121, 300± feet east of Coit Road. Zoned Regional Commercial.

Approved as submitted.

**AGENDA ITEM NO. 5L - REVISED SITE PLAN
54/PERFORMANCE ADDITION, BLOCK 1, LOT 1
APPLICANT: IRONWOOD PARTNERS LTD.**

An existing new car dealer on one lot on 5.8± acres located on the west side of Preston Road, 500± feet south of Plano Parkway. Zoned Planned Development-201-Light Commercial.

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

**AGENDA ITEM NO. 5N - REVISED CONVEYANCE PLAT
29/COMMUNICATION PARK, BLOCK 1, LOTS 4R, 10R, & 12
APPLICANT: TOLLWAY WINDHAVEN I, LTD.**

Future medical office buildings and retail buildings on two lots on 5.0± acres and a future bank with drive-through lanes on one lot on 1.4± acres located at the southwest corner of Dallas North Tollway and Windhaven Parkway. Zoned Regional Commercial.

Approved as submitted.

**AGENDA ITEM NO. 5O - REVISED PRELIMINARY SITE PLAN & REVISED
CONCEPT PLAN
29/COMMUNICATION PARK, BLOCK 1, LOTS 4R, 10R, & 12
APPLICANT: TOLLWAY WINDHAVEN I, LTD.**

Future medical office buildings and retail buildings on two lots on 5.0± acres and a future bank with drive-through lanes on one lot on 1.4± acres located at the southwest corner of Dallas North Tollway and Windhaven Parkway. Zoned Regional Commercial.

Approved as submitted.

END OF CONSENT AGENDA

ITEMS FOR INDIVIDUAL CONSIDERATION

**AGENDA ITEM NO. 5I - REVISED SITE PLAN
19/HUNTERS GLEN FIVE, BLOCK 6, LOTS 1R & 2R
APPLICANT: SPRING CREEK CHURCH OF CHRIST**

Christina Day, Sr. Planner, stated this is a church and general office building on two lots on 3.8± acres located at the southwest corner of Spring Creek Parkway and Custer Road. Zoned General Office. Staff recommended approval as submitted.

After a brief discussion, Commissioner Dunlap made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 5J - PRELIMINARY PLAT
8/THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE 2
APPLICANT: GOODMAN FAMILY OF BUILDERS**

Ms. Day stated this is 56 Single-Family Residence Attached lots and seven open space lots and one common area lot on 3.2± acres located at the northwest corner of Lois Lane and Parkwood Boulevard. Zoned Planned Development-65-Central Business-1. Staff recommended approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

After a brief discussion, Commissioner Dunlap made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 8-0.

AGENDA ITEM NO. 5K - SITE PLAN
8/THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE 2
APPLICANT: GOODMAN FAMILY OF BUILDERS

Ms. Day stated this is 56 Single-Family Residence Attached lots and seven open space lots and one common area lot on 3.2± acres located at the northwest corner of Lois Lane and Parkwood Boulevard. Zoned Planned Development-65-Central Business-1. Staff recommended approval subject to staff approval of the landscape plan.

After a brief discussion, Commissioner Dunlap made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 8-0.

AGENDA ITEM NO. 5M - PRELIMINARY SITE PLAN
17/LEGACY AT WILLOW BEND RETIREMENT COMMUNITY
APPLICANT: LEGACY SENIOR COMMUNITIES, INC.

Charles Lee, Planner, stated this is a continuing care facility on one lot on 28.1± acres located at the northeast corner of Spring Creek Parkway and Preston Road. Zoned Planned Development-101-Retail/General Office. Staff recommended approval subject to City Council abandonment of excess rights-of-way along the northern side of Spring Creek Parkway.

After a brief discussion, Commissioner Flick made a motion to approve the item as submitted. Commissioner Dunlap seconded the motion, which passed 8-0.

END OF ITEMS FOR INDIVIDUAL CONSIDERATION

PUBLIC HEARINGS

AGENDA ITEM NO. 6
PUBLIC HEARING: ZONING CASE 2005-05
APPLICANT: GREENWAY-PRESTON & PARKER, LTD.

Mr. Lee stated this is a request to rezone 22.5± acres at the southeast corner of Parker Road and Preston Road from Agricultural (A) to Neighborhood Office (O-1) with Specific Use Permit (SUP) for Bank, Savings & Loan or Credit Union/Single-Family Residence Attached (SF-A)/Patio Home (PH). Staff recommended that the Planning & Zoning Commission accept the applicant's request to table this item to the Tuesday, July 5, 2005, Planning & Zoning Commission meeting.

The public hearing was opened. Glen Hinckley, Preston Parker Shopping Center; John Donovan, Creeks of Willow Bend HOA; and Larry Rehg spoke in opposition to the item. Concerns voiced were regarding petitions and validity if this item were to be tabled. The public hearing was closed.

After a brief discussion, Commissioner Kezhaya made a motion to accept the applicant's request to table this item. First Vice Chair Kalchthaler seconded the motion, which passed 8-0.

AGENDA ITEM NO. 7
PUBLIC HEARING: ZONING CASE 2005-20
APPLICANT: CITY OF PLANO

Ms. Day stated this is a 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 related sections of the Zoning Ordinance pertaining to manufacturing. The proposed amendments include revised definitions and a revised schedule of permitted uses (use charts). Staff recommended approval as follows: (Additions are indicated by underlined text; deletions are indicated by strikethrough text.)

- 1) Amend definitions in Section 1.600 (Definitions) of Article 1 (General Regulations) of the Zoning Ordinance, deleting the definitions for limited assembly and manufacturing and general manufacturing and creating new definitions for light-intensity manufacturing, moderate-intensity manufacturing, and heavy-intensity manufacturing to read as follows:

Light-intensity Manufacturing - Indoor assembly and manufacturing of finished products or parts from previously prepared materials and parts. Fabrication may be used in limited form to shape or define the final product but shall not comprise the primary activity of such operations.

Moderate-intensity Manufacturing - Manufacturing of finished products and component products or parts, including the transportation, treatment, or processing of materials or substances, exclusive of basic industrial processing.

Heavy-intensity Manufacturing - Basic industrial processing which transforms materials, particularly raw materials, into a new substance, compound, or product. Uses include, but are not limited to, meat packing, chemical and petroleum processing and manufacturing, and foundries.

- 2) Amend the use charts in Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) of the Zoning Ordinance, deleting limited assembly and manufacturing use complying with performance standards and general manufacturing/industrial use complying with performance standards; permitting light-intensity manufacturing use by right in the LC, CE, LI-1, LI-2, RE, RC, RT, and CC zoning districts and by specific use permit and residential adjacency standards in the R district; allowing moderate-intensity manufacturing use by right in the CE, RT, LI-1, and LI-2 zoning districts and by specific use permit in the LC zoning district; allowing heavy-intensity manufacturing use by specific use permit in the CE, RT, LI-1, and LI-2 zoning districts.
- 3) Replace references to limited assembly and manufacturing use complying with performance standards throughout the Zoning Ordinance with light-intensity manufacturing.
- 4) Replace references to general manufacturing throughout the Zoning Ordinance with moderate-intensity manufacturing.

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

After a brief discussion, Commissioner Flick made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 8-0.

AGENDA ITEM NO. 8
PUBLIC HEARING: ZONING CASE 2005-21
APPLICANT: CITY OF PLANO

Tom Elgin, Development Review Manager, stated this is a request to amend Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding exterior wall standards for nonresidential uses. This request proposes to prohibit the use of membrane (fabric) and/or metal exterior wall finishes for nonresidential structures. Staff recommended that this item be further tabled until the July 5, 2005, Planning & Zoning Commission meeting.

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

There being no discussion, Commissioner Kezhaya made a motion to table the item to the July 5, 2005, Planning & Zoning Commission meeting. Commissioner Briley seconded the motion, which passed 8-0.

Commissioner Dunlap stepped down for Agenda Item No. 9.

AGENDA ITEM NO. 9
PUBLIC HEARING: ZONING CASE 2005-22
APPLICANT: COLLIN INTERVENTION TO YOUTH, INC.

Ms. Day stated this is a request for a Specific Use Permit (SUP) for Household Care Institution on one lot on 1.7± acres located on the west side of Independence Parkway, 117± feet south of Crickett Drive. Zoned Neighborhood Office (O-1). Thirteen letters were received for the item, one in support, and twelve in opposition. One petition was received for the item, with two signatures in support and twenty-six in opposition.

The public hearing was opened. Jeanine Alpert, representing the applicant; Janet Stovall, immediate past president for City House; David Downs, City House; and Pam Hatcher all spoke in support of the item. David Koenig, Hunters Creek Homeowners Association spoke in conditional support of the item stating the residents would like to be involved in the planning stages of City House.

Chairman Williamson called a break at 8:10 p.m.

The public hearing was reconvened at 8:25 p.m.

Jack Skelton, St. Paul Lutheran Church; Michael Martin, Independence Estates HOA; Tom Grunnah, Independence Estates HOA; and Karl Langille, Independence Estates HOA all spoke in opposition. The concerns voiced were property devaluation, traffic increase, vandalism, and overall safety of the neighborhood. The public hearing was closed.

After much discussion, Commissioner Kezhaya made a motion to approve the item as submitted. Commissioner Flick seconded the motion, which passed 7-0.

Commissioner Dunlap resumed his seat.

AGENDA ITEM NO. 10
PUBLIC HEARING: ZONING CASE 2005-23
APPLICANT: IM SIK KJM

Bester Tauro, Planner, stated this is a request for a Specific Use Permit for Private Club within a restaurant on 1.4± acres located at the northwest corner of Legacy Drive and Chase Oaks Boulevard. Zoned Retail. One letter was received in opposition to the item. Staff recommended approval subject to City Council waiving the 300-foot residential separation distance requirement.

The public hearing was opened. James Theodoras; John Reilly, Chase Oaks HOA President; Mike Riley; and Julie Engelken all spoke in opposition to the item. The public hearing was closed.

After much discussion, Commissioner Flick made a motion to deny the item. Commissioner Briley seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING - REPLAT & REVISED SITE PLAN
40/CARRINGTON PARK ADDITION, BLOCK B, LOT 4R
APPLICANT: WILLOW BEND DENTAL CLINIC**

Ms. Day stated this is a medical and general office building on one lot on 1.7± acres located at the northwest corner of Wedgewood Drive and the Dallas North Tollway. Zoned Regional Employment. Staff recommended approval as submitted.

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

There being no discussion, Commissioner Kezhaya made a motion to approve the item as submitted. First Vice Chair Kalchthaler seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 12 - PUBLIC HEARING - REPLAT
68/CENTRAL PLANO INDUSTRIAL PARK, PHASE III, BLOCK 10, LOT 3
APPLICANT: HEILIND ELECTRONICS, INC.**

Mr. Lee stated this is a 41,000 square foot office-showroom/warehouse facility on one lot on 3.5± acres located on the south side of Summit Avenue, 500± feet west of Klein Road. Zoned Research/Technology Center. Staff recommended approval as submitted.

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

There being no discussion, Commissioner Kezhaya made a motion to approve the item as submitted. Commissioner Briley seconded the motion, which passed 8-0.

END OF PUBLIC HEARINGS

Commissioner Dunlap stepped down for Agenda Items No. 13, 14 and 15.

**AGENDA ITEM NO. 13 - PRELIMINARY SITE PLAN
32/LAKEPOINTE CROSSING ADDITION, BLOCK A, LOTS 6 & 7
APPLICANT: FLAGSHIP II CARWASH PARTNERS**

Ms. Day stated this is a proposed retail building on a proposed lot and an existing car wash on one lot on 2.8± acres located on the south side of Nueces Drive, 800± feet east of Preston Road. Zoned Retail. Staff recommended for approval subject to resolution of Subdivision Ordinance street frontage requirements at the time of plat review.

After much discussion, Commissioner Flick made a motion to approve the item subject to a future replat which dedicates the existing fire lane running through Lakepointe Crossing Addition as a public way therefore alleviating the street frontage issue for Lot 7. First Vice Chair Kalchthaler seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 14 - PRELIMINARY SITE PLAN
22/ROSEBRIAR SPRING CREEK PLAZA ADDITION, BLOCK A, LOTS 1-4
APPLICANT: ROSEBRIAR SPRING CREEK, LP**

Mr. Lee stated this is a retail shopping center with restaurants, retail, fitness center, and a bank with drive-through lanes on four lots on 13.6± acres located at the northeast corner of U.S. Highway 75 and Spring Creek Parkway. Zoned Corridor Commercial. Staff recommended approval subject to Planning & Zoning Commission acceptance of the Traffic Impact Analysis.

There being no discussion, Commissioner Flick made a motion to approve the item as submitted. First Vice Chair Kalchthaler seconded the motion, which passed 7-0.

**AGENDA NO. 15
REQUEST TO CALL A PUBLIC HEARING
APPLICANT: CITY OF PLANO**

Mr. Elgin stated this is a request to call a public hearing to rescind specific use permits for private clubs for restaurants converting from private club permits to mixed beverage permits.

After much discussion, Commissioner Flick made a motion to call a public hearing to rescind specific use permits for private clubs for restaurants converting from private club permits to mixed beverage permits. Commissioner Abraham seconded the motion, which passed 7-0.

There being no further discussion, Chairman Williamson adjourned the meeting at 9:58 p.m.

Planning & Zoning Commissioner

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