

**PLANNING & ZONING COMMISSION
DECEMBER 5, 2005**

COMMISSIONERS PRESENT

Carolyn Kalchthaler, Chairman
James Duggan
Joyce Beach, 1st Vice Chair
Dennis Abraham, 2nd Vice Chair
Jim Norton
Joy Flick
Maggie Armstrong
Lisette Briley

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Kent McIlyar, Assistant City Attorney III
Jeff Zimmerman, Long Range Planning Manager
Alan Upchurch, City Engineer
Lee Stimpson, Sr. Engineer
Gerald Cosgrove, Chief Engineer/CIP
Steve Sims, Sr. Planner
Robin Reeves, Chief Park Planner
Tom Elgin, Development Review Manager
Christina Day, Sr. Planner
Michael Arthaud, Planning Technician
Stacy Christison, Technical Administrative Assistant
Dana Molnar, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Kalchthaler at 7:00 p.m., Monday, December 5, 2005.

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

Commissioner Briley made a motion to approve the November 21, 2005, Pre-Meeting Minutes and Regular Meeting Minutes. Commissioner Duggan seconded the motion, which passed 8-0.

Commissioner Briley made a motion to approve the consent agenda. Commissioner Abraham seconded the motion, which passed 8-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - FINAL PLAT 27/AVIGNON ON WINDHAVEN, PHASE I APPLICANT: ACRES OF SUNSHINE, LTD.

99 Single-Family Residence-6 lots and 11 open space lots on 25.0± acres located on the north side of Windhaven Drive, 2,100± feet east of Dallas North Tollway. Zoned Planned Development-154-Single-Family Residence-6.

Approved as submitted.

AGENDA ITEM NO. 5B - SITE PLAN 27/AVIGNON ON WINDHAVEN, PHASE 1, BLOCK H, LOT 10 APPLICANT: ACRES OF SUNSHINE, LTD.

A private recreation center on one lot on 1.4± acres located 200± feet north of Windhaven Drive and 3,000± feet east of Dallas North Tollway. Zoned Planned Development-154-Single-Family Residence-6.

Approved as submitted.

AGENDA ITEM NO. 5C - FINAL PLAT 67/T. CAPPELLI ADDITION, BLOCK 1, LOT 1 APPLICANT: T. CAPPELLI PROPERTIES, LTD.

An office-showroom/warehouse development on one lot on 3.4± acres located at the southwest corner of N Avenue and 10th Street. Zoned Light Industrial-1.

Approved as submitted.

AGENDA ITEM NO. 5D - PRELIMINARY PLAT 3/ESTANCIA AT RIDGEVIEW RANCH, BLOCK A, LOT 1 APPLICANT: HRC RANCH, LTD.

500 multifamily units on one lot on 17.6± acres located at the southeast corner of Independence Parkway and State Highway 121. Zoned Planned Development-476-Regional Employment.

Approved subject to City Council abandonment of a 3.7± acre tract of excess rights-of-way located at the southwest corner of the property.

**AGENDA ITEM NO. 5E - PRELIMINARY SITE PLAN
39/THE ARBORS AT PRESTONWOOD, BLOCK A, LOT 2
APPLICANT: MEDICAL EDGE PLANO**

A medical office building on one lot on 4.1± acres located at the northeast corner of Plano Parkway and Marsh Lane. Zoned Planned Development-257-Retail.

Approved subject to determination of no air hazard by the Federal Aviation Administration at time of site plan approval.

**AGENDA ITEM NO. 5F - RIGHT-OF-WAY DEDICATION & CONVEYANCE PLAT
8/LEGACY TOWN CENTER (NORTH), BLOCK A, LOT 1, BLOCK B, LOT 1 &
BLOCK C, LOTS 1, 2 & 3
APPLICANT: EDS INFORMATION SERVICES, LLC**

Five conveyance lots and right-of-way dedication on 65.5± acres located on the north side of Legacy Drive, between Dallas North Tollway and Parkwood Boulevard. Zoned Planned Development-65-Central Business-1. Neighborhood #8.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2005-46
APPLICANT: CITY OF PLANO**

Christina Day, Sr. Planner, stated this is a request to rezone 1.1± acres located 500± feet east of Coit Road and 700± feet north of McDermott Road from Single-Family Residence-7 to Planned Development-434-Retail and Planned Development-433-Multifamily Residence-2. No letters were received for the item. 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, 1st Vice Chair Beach made a motion to approve the item as submitted. Commissioner Flick seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 7 - PUBLIC HEARING
ZONING CASE 2005-47
APPLICANT: CITY OF PLANO**

Tom Elgin, Development Review Manager, stated this is a request to amend 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 to permit Personal Service Shop as an allowed use in the Neighborhood Office zoning district. No letters were received for the item. Staff recommended that personal service shop use be permitted as an allowed use by right in the Neighborhood Office (O-1) zoning district.

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

After some discussion, Commissioner Flick made a motion to deny the item. Commissioner Briley seconded the motion, which passed 7-1. The Commission denied this request stating concerns about residential adjacency and compatibility of the use with the intent of the Neighborhood Office district. Commissioner Abraham voted in opposition to the motion for denial, giving no reason for his vote.

END OF PUBLIC HEARINGS

**AGENDA ITEM NO. 8 - REVISED SITE PLAN
67/MALABY ADDITION, BLOCK 1, LOTS 1-4 & OUTLOT 1 & BLOCK 2,
LOTS 5-10B
APPLICANT: PLANO MARINE**

Mr. Elgin stated this is a request for a recreation vehicle dealer on 14 lots on 3.7± acres located on the west side of K Avenue, north of 10th Street. Zoned Light Commercial with Specific Use Permit #515 for Recreation Vehicle Sales & Service. Staff recommended approval subject to the Board of Adjustment granting variances to:

1. The maximum 40-inch height for improvements within the front yard setbacks along K Avenue and 10th Street to permit construction of the six-foot tall fence and irrigated living screen.
2. The requirement that open storage not be located within front yard setbacks to permit open storage in the area between the setback lines and the new fence and irrigated living screen along K Avenue and 10th Street.
3. The requirement that open storage be placed on an asphalt or concrete surface to permit open storage to be placed on a gravel surface in the area between the setback lines and the new fence and irrigated living screen along K Avenue and 10th Street.

Benny Ray, the applicant, spoke in support of the item.

After much discussion, Commissioner Flick made a motion to deny the item. Commissioner Norton seconded the motion. The vote on the motion was 4-4; therefore, there was no decision on the motion. Chairman Kalchthaler, and Commissioners Norton, Briley and Flick voted in support of the denial. First Vice Chair Beach, 2nd Vice Chair Abraham, and Commissioners Duggan and Armstrong, voted in opposition to the denial, stating they were in agreement with the staff recommendations.

Commissioner Briley then made a motion to approve the item subject to staff recommendations and amending the ten foot setback to 30 feet. Second Vice Chair Abraham seconded the motion. The vote on the motion was 4-4; therefore, there was no decision on the motion. Commissioners Briley, Armstrong, Duggan, and 2nd Vice Chair Abraham voted in support of the motion. First Vice Chair Beach, Chairman Kalchthaler, and Commissioners Flick and Norton voted in opposition to the motion, giving no reasons for their vote.

Commissioner Flick then made a motion to table the item until the December 19, 2005, meeting. Commissioner Briley seconded the motion, which passed 7-1. First Vice Chair Beach voted in opposition, giving no reason for her vote.

**AGENDA ITEM NO. 9 - DISCUSSION AND DIRECTION
STORM WATER MANAGEMENT PLAN
APPLICANT: CITY OF PLANO**

Alan Upchurch, City Engineer, stated this is discussion and direction regarding possible components of Plano's Storm Water Management Program.

The Commission provided feedback on those incentives from the attachment that it would prefer to use in the Storm Water Management Program.

**AGENDA ITEM NO. 10 - DISCUSSION AND DIRECTION
COMPREHENSIVE PLAN REVISION
APPLICANT: CITY OF PLANO**

Steve Sims, Sr. Planner, began the presentation of the item by stating the purpose of the update, the work completed to this point, and introduced the key factors for the Parks and Recreation Element. Robin Reeves, Chief Park Planner, presented the issues of the key factors. At the end of the presentation, Mr. Reeves asked the commission the following questions:

- Are the key factors and issues appropriate?
- Are there any key factors or issues that require greater emphasis?
- Are there any additional questions and comments?

The commissioners indicated general agreement with the key factors and issues. Staff was directed to move forward as follows:

- Organize the key factors and issues around the three themes of the Comprehensive Plan.
- Work with the Parks and Recreation Planning Board to develop recommendations to address issues.

**AGENDA ITEM NO. 11 - DISCUSSION & DIRECTION
WORK SESSION AND TRAINING SCHEDULING
APPLICANT: CITY OF PLANO**

Mr. Elgin stated that the purpose of this agenda item was to establish appropriate dates and times for work sessions and training for the calendar year 2006.

After some discussion, the Commission strongly supported moving work session items to the regular meeting if a regular agenda has few items. Commission work sessions are to remain scheduled on alternating Tuesdays and Wednesdays during the week of the regular Commission meetings. The Commission also requested training scheduled in an informal atmosphere outside the Council Chamber.

There being no further discussion, Chairman Kalchthaler adjourned the meeting at 9:02 p.m.

Planning & Zoning Commissioner

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