

PLANNING & ZONING COMMISSION

PLANO MUNICIPAL CENTER

1520 K AVENUE

February 18, 2008

ITEM NO.	EXPLANATION	ACTION TAKEN
	<p>6:30 p.m. - Dinner - Planning Conference Room 2E</p> <p>7:00 p.m. - Regular Meeting - Council Chambers</p> <p>The Planning & Zoning Commission may convene into Executive Session pursuant to Section 55.071 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 February 4, 2008, 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 TF Final Plat: Custer-Ridgeview Addition, Block 1, Lot 7 - Commercial pet sitting on one lot on 2.0± acres located on the south side of Kathryn Lane, 320± feet west of Custer Road. Zoned Retail. Neighborhood #3. Applicant: Fred Owens</p> <p>5b TF Final Plat: Legacy Town Center (North), Block A, Lot 1 - 390 multifamily units on one lot on 6.8± acres located at the northwest corner of Parkwood Boulevard and Robbie Road. Zoned Planned Development-65-Central Business-1. Neighborhood #8. Applicant: Legacy North PT MFA I, L.P.</p>	

5c EH	<p>Revised Preliminary Site Plan: Granite Park Addition, Block B, Lots 6 & 7 - General office on two lots on 12.0± acres located at the southwest corner of Granite Parkway and State Highway 121. Zoned Central Business-1. Neighborhood #8. Applicant: Tollway/121 Partners, Ltd.</p>
5d EH	<p>Revised Preliminary Plat: Village at 121 Addition, Block 1, Lot 1 - Retail, restaurant, and indoor commercial amusement development on one lot on 53.7± acres located at the southwest corner of State Highway 121 and Preston Road. Zoned Commercial Employment. Neighborhood #8. Applicant: 121 Village, Ltd.</p>
5e EH	<p>Revised Conveyance Plat: Village at 121 Addition, Block 1, Lots 1-5 - Retail and restaurant development on one lot and four conveyance lots on 84.1± acres located at the southwest corner of State Highway 121 and Preston Road. Zoned Commercial Employment. Neighborhood #8. Applicant: 121 Village, Ltd.</p>
5f EH	<p>Final Plat: The Tribeca Addition, Block A, Lot 1 - 396 Multifamily Residence-1 units on one lot on 11.6± acres located on the west side of Ohio Drive, 245± feet south of McDermott Road. Zoned Planned Development-20-Mixed Use. Neighborhood #1. Applicant: Tribeca Apartments, Ltd.</p>
<p><u>END OF CONSENT AGENDA</u></p>	
<p><u>PUBLIC HEARINGS</u></p>	
6 TF	<p>Public Hearing: Zoning Case 2007-16 - Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations) and Section 3.1000 (Screening, Fence, and Wall Regulations) of Article 3 (Supplementary Regulations), and related sections of the Zoning Ordinance regarding golf nets. Applicant: City of Plano</p>
7 EH	<p>Public Hearing: Zoning Case 2007-61 - Request to rescind Specific Use Permit #207 for Private Club on one lot on 1.0± acre located on the east side of Preston Road, 1,370± feet north of Park Boulevard. Zoned Retail. Applicant: City of Plano</p>
8A TF	<p>Public Hearing: Zoning Case 2008-01 - Request to rescind Specific Use Permit #367 for Private Club on one lot on 0.9± acre located on the north side of 18th Street, 200± feet west of K Avenue. Zoned Downtown Business/Government. Applicant: City of Plano</p>
8B TF	<p>Public Hearing: Zoning Case 2008-02 - Request to rescind Specific Use Permit #372 for Private Club on one lot on 2.3± acres located on the east side of U.S. Highway 75, 1,660± feet north of Parker Road. Zoned Corridor Commercial. Applicant: City of Plano</p>

<p>8C EH</p>	<p>Public Hearing: Zoning Case 2008-03 - Request to rescind Specific Use Permit #373 for Private Club on one lot on 0.1± acre located on the north side of Spring Creek Parkway, 625± feet west of Coit Road. Zoned Retail. Applicant: City of Plano</p>
<p>8D EH</p>	<p>Public Hearing: Zoning Case 2008-04 - Request to rescind Specific Use Permit #392 for Private Club on one lot on 0.7± acre located at the northwest corner of Park Boulevard and Ohio Drive. Zoned Retail. Applicant: City of Plano</p>
<p>8E TE</p>	<p>Public Hearing: Zoning Case 2008-05 - Request to rescind Specific Use Permit #397 for Private Club on one lot on 0.2± acre located on the west side of Dallas North Tollway, 1,340± feet north of Parker Road. Zoned Regional Commercial. Applicant: City of Plano</p>
<p>8F TE</p>	<p>Public Hearing: Zoning Case 2008-06 - Request to rescind Specific Use Permit #401 for Private Club on one lot on 1.5± acres located on the west side of Dallas North Tollway, 1,200± feet north of Parker Road. Zoned Regional Commercial. Applicant: City of Plano</p>
<p>8G BT</p>	<p>Public Hearing: Zoning Case 2008-07 - Request to rescind Specific Use Permit #405 for Private Club on one lot on 0.1± acre located 380± feet west of Coit Road, 750± feet north of Spring Creek Parkway. Zoned Retail. Applicant: City of Plano</p>
<p>8H BT</p>	<p>Public Hearing: Zoning Case 2008-08 - Request to rescind Specific Use Permit #408 for Private Club on one lot on 0.2± acre located 50± feet west of Preston Road, 50± feet north of Lorimar Drive. Zoned Planned Development-447-Retail/Multifamily Residence-2. Applicant: City of Plano</p>
<p>9 TE</p>	<p>Public Hearing: Zoning Case 2008-09 - Request to rezone 5.6± acres located on the north side of Tradition Trail, 470± feet east of Ohio Drive from Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office to Planned Development-426-Retail/General Office. Zoned Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office. Applicant: H. H. P. L. Limited</p>
<p>10 TF</p>	<p>Public Hearing - Replat: Children's Medical Center Legacy Campus, Block A, Lot 1 - Hospital and medical offices on one lot on 56.1± acres located at the southwest corner of Preston Road and Hedgcoxe Road. Zoned Commercial Employment. Neighborhood #8. Applicant: Children's Medical Center</p>

<p>11 TF</p>	<p>Public Hearing - Preliminary Replat: Hinckley Addition, Block A, Lots 1R & 3 - Church on one lot and vacant lot on 5.9± acres located on the west side of Los Rios Boulevard, 80± feet south of Trail Walker Drive and generally on the north side of Ridgetop Lane. Zoned Planned Development-320-Estate Development. Neighborhood #50. Applicant: The Church of Jesus Christ of Latter-Day Saints</p>
<p>12 EH</p>	<p>Public Hearing - Replat: Pointe West Addition, Block A, Lots 3R-9R, 11R, 19R, 20R, 22R-28R, Block B, Lots 1R-4R & Block C, Lots 6R-10R - 32 Single-Family Residence-6 lots on 4.5± acres located at the northwest corner of Windhaven Parkway and Garden Gate Drive. Zoned Single-Family Residence-6. Neighborhood #26. Applicant: Plano Pointe West, L.P.</p>
<p>13 EH</p>	<p>Public Hearing - Replat: Regency Park Addition, Block A, Lots 3R-9R, Block B, Lots 2R-7R, 10R-15R, Block C, Lots 1R-5R, & Block D, Lots 3R, 4R, 10R-16R - 41 Single-Family Residence-6 lots on 5.8± acres located generally on the east side of Ohio Drive, 220± feet south of McDermott Road. Zoned Planned Development-155-Single-Family Residence-6. Neighborhood #4. Applicant: Regency Park, L.P.</p>
<p>14 BT</p>	<p>Public Hearing - Preliminary Replat & Revised Site Plan: Church of Christ on McDermott Road Addition, Block 1, Lot 1R - Church on one lot on 12.0± acres located at the southwest corner of McDermott Road and Clifford Drive. Zoned Single-Family Residence-6. Neighborhood #5. Applicant: Church of Christ on McDermott Road</p>
<p>15 BT</p>	<p>Public Hearing - Replat: Parker Square Addition, Block 2, Lot 3R - Tire dealer on one lot on 1.3± acres located on the south side of Park Boulevard, 150± feet west of K Avenue. Zoned Planned Development-23-Light Commercial. Neighborhood #59. Applicant: Halle Properties, LLC</p>
<p>16 BT</p>	<p>Public Hearing - Replat: United National Bank Addition, Block 1, Lots 1R & 2R - Retail on one lot on 1.9± acres located at the northeast corner of Parker Road and Premier Drive. Zoned Corridor Commercial. Neighborhood #36. Applicant: Comerica Bank</p>
<p><u>END OF PUBLIC HEARINGS</u></p>	
<p>17 BT</p>	<p>Preliminary Site Plan: Gulf Oil Addition No. 1, Block 1, Lot 1R - Convenience store with gas pumps on one lot on 1.3± acres located at the southeast corner of Plano Parkway and K Avenue. Zoned Light Industrial-1. Neighborhood #68. Applicant: Quik Trip Corporation</p>

18
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Request to Waive the Two-Year Waiting Period: Planned Development-131-Light Industrial-1 - Request to waive the two-year waiting period for consideration of a rezoning request for 5.6± acres located on the north side of Tradition Trail, 470± feet east of Ohio Drive **from** Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office **to** Planned Development-426-Retail/General Office. Zoned Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office. Neighborhood #55. **Applicant: H. H. P. L. Limited**

19

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 45 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

February 18, 2008

Agenda Item No. 5a

Final Plat: Custer-Ridgeview Addition, Block 1, Lot 7

Applicant: Fred Owens

Commercial pet sitting on one lot on 2.0± acres located on the south side of Kathryn Lane, 320± feet west of Custer Road. Zoned Retail. Neighborhood #3.

Recommended for approval as submitted.

Agenda Item No. 5b

Final Plat: Legacy Town Center (North), Block A, Lot 1

Applicant: Legacy North PT MFA I, L.P.

390 multifamily units on one lot on 6.8± acres located at the northwest corner of Parkwood Boulevard and Robbie Road. Zoned Planned Development-65-Central Business-1. Neighborhood #8.

Recommended for approval as submitted.

Agenda Item No. 5c

Revised Preliminary Site Plan: Granite Park Addition, Block B, Lots 6 & 7

Applicant: Tollway/121 Partners, Ltd.

General office on two lots on 12.0± acres located at the southwest corner of Granite Parkway and State Highway 121. Zoned Central Business-1. Neighborhood #8.

The purpose of this revised preliminary site plan is to combine lots 6 and 7 into one lot and to modify the proposed general office building.

Recommended for approval as submitted.

Agenda Item No. 5d
Revised Preliminary Plat: Village at 121 Addition, Block 1, Lot 1
Applicant: 121 Village, Ltd.

Retail, restaurant, and indoor commercial amusement development on one lot on 53.7± acres located at the southwest corner of State Highway 121 and Preston Road. Zoned Commercial Employment. Neighborhood #8.

The purpose of this revised preliminary plat is to amend and add easements necessary for development.

Recommended for approval as submitted.

Agenda Item No. 5e
Revised Conveyance Plat: Village at 121 Addition, Block 1, Lots 1-5
Applicant: 121 Village, Ltd.

Retail and restaurant development on one lot and four conveyance lots on 84.1± acres located at the southwest corner of State Highway 121 and Preston Road. Zoned Commercial Employment. Neighborhood #8.

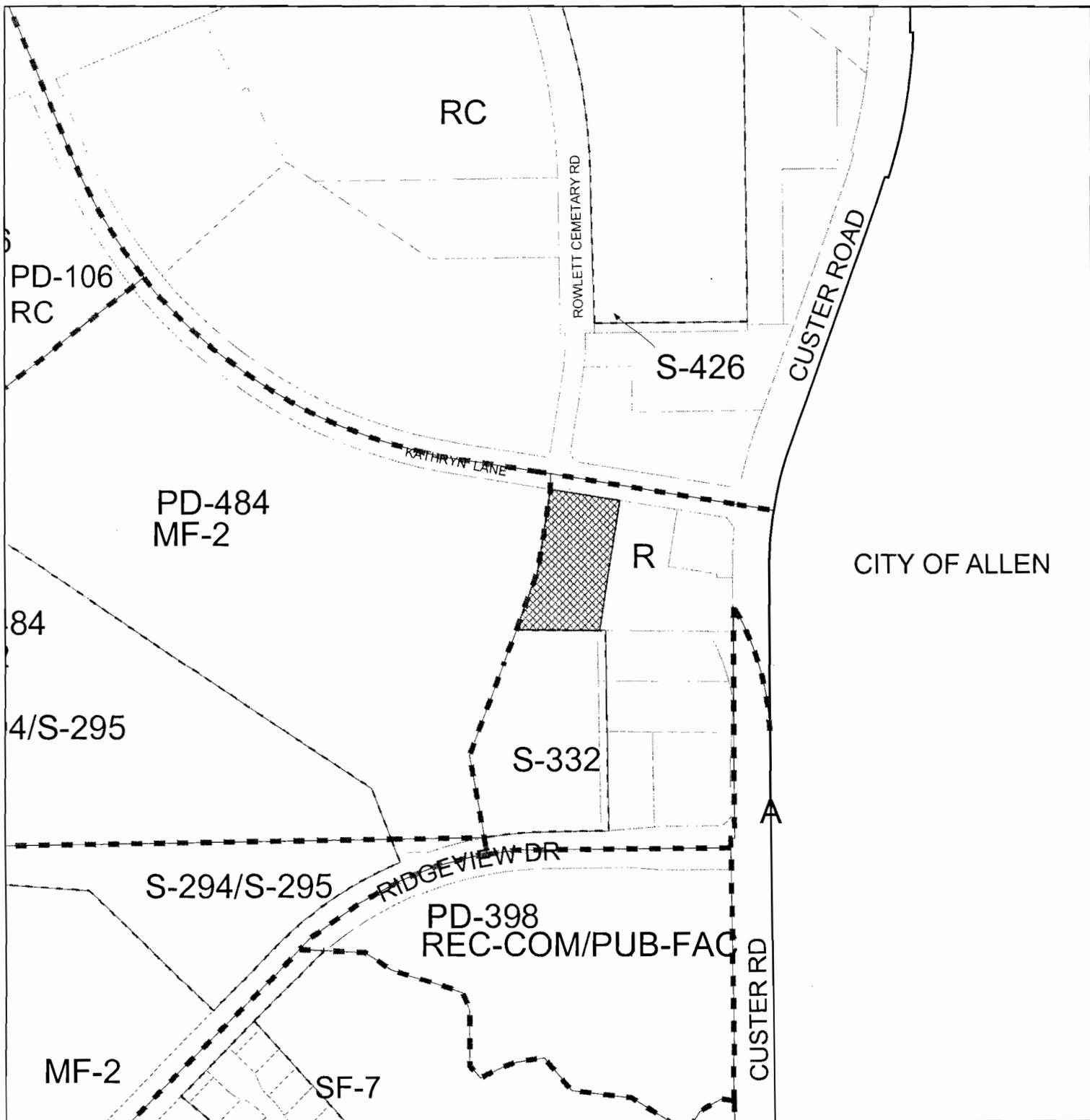
The purpose of this revised conveyance plat is to modify the boundaries between Lots 1 and 4, and to modify easements.

Recommended for as submitted.

Agenda Item No. 5f
Final Plat: The Tribeca Addition, Block A, Lot 1
Applicant: Tribeca Apartments, Ltd.

396 Multifamily Residence-1 units on one lot on 11.6± acres located on the west side of Ohio Drive, 245± feet south of McDermott Road. Zoned Planned Development-20-Mixed Use. Neighborhood #1.

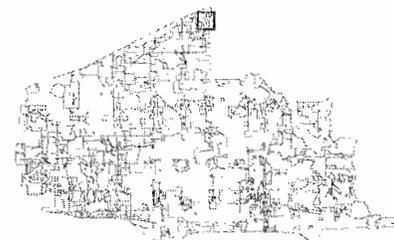
Recommended for approval as submitted.



Item Submitted: FINAL PLAT

Title: CUSTER-RIDGEVIEW ADDITION
BLOCK 1, LOT 7

Zoning: RETAIL



○ 200' Notification Buffer



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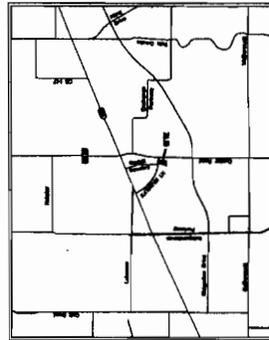
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Map (N.15)

Notes and Remarks Description

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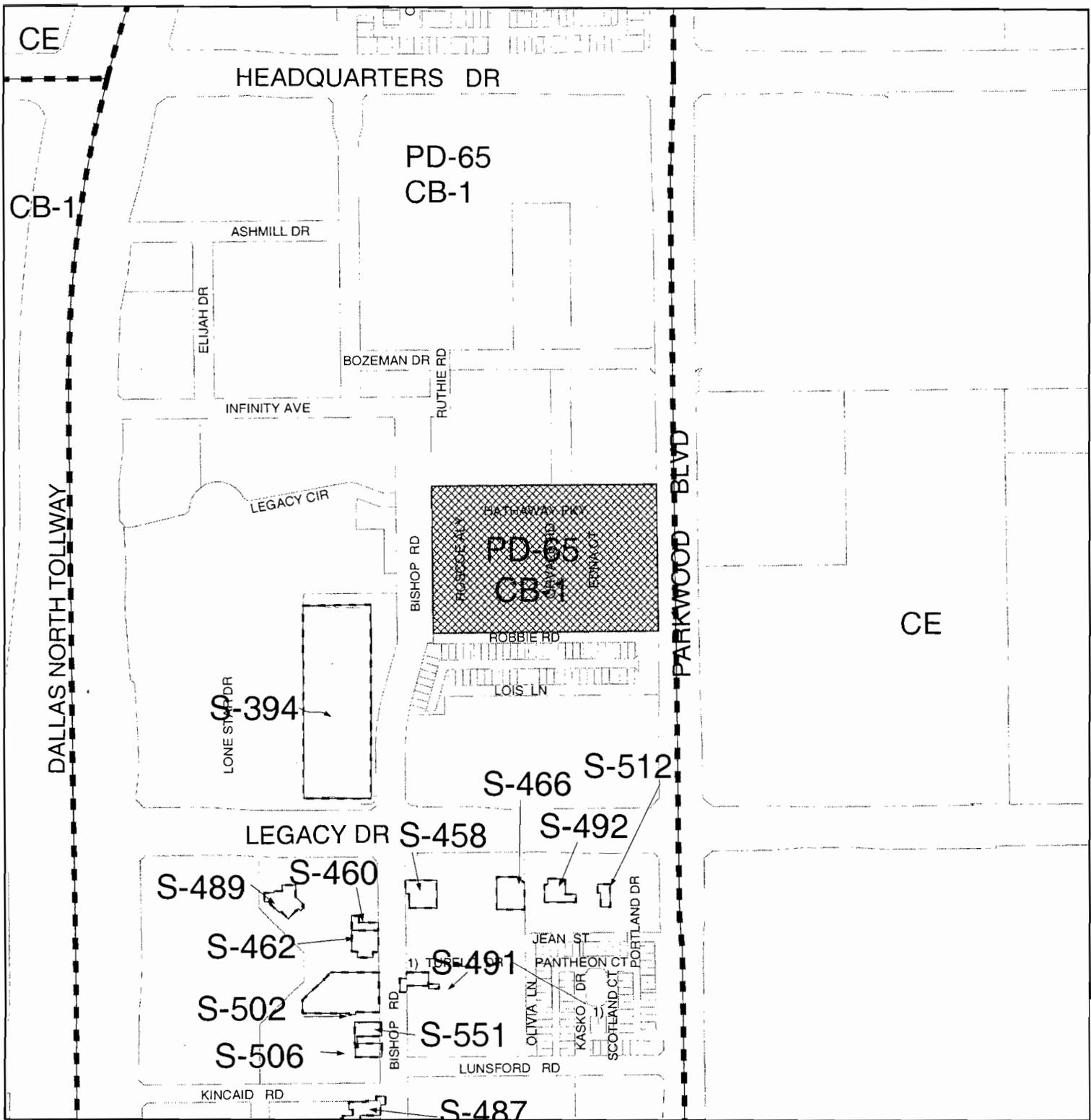
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LOT 7, BLOCK 1
CUSTER-RIDGEVIEW ADDITION

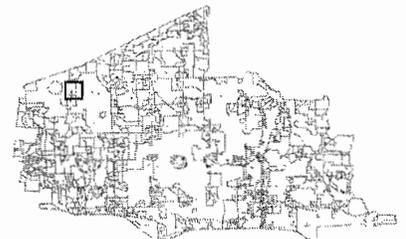
LOT 7, BLOCK 1
CUSTER-RIDGEVIEW ADDITION



Item Submitted: FINAL PLAT

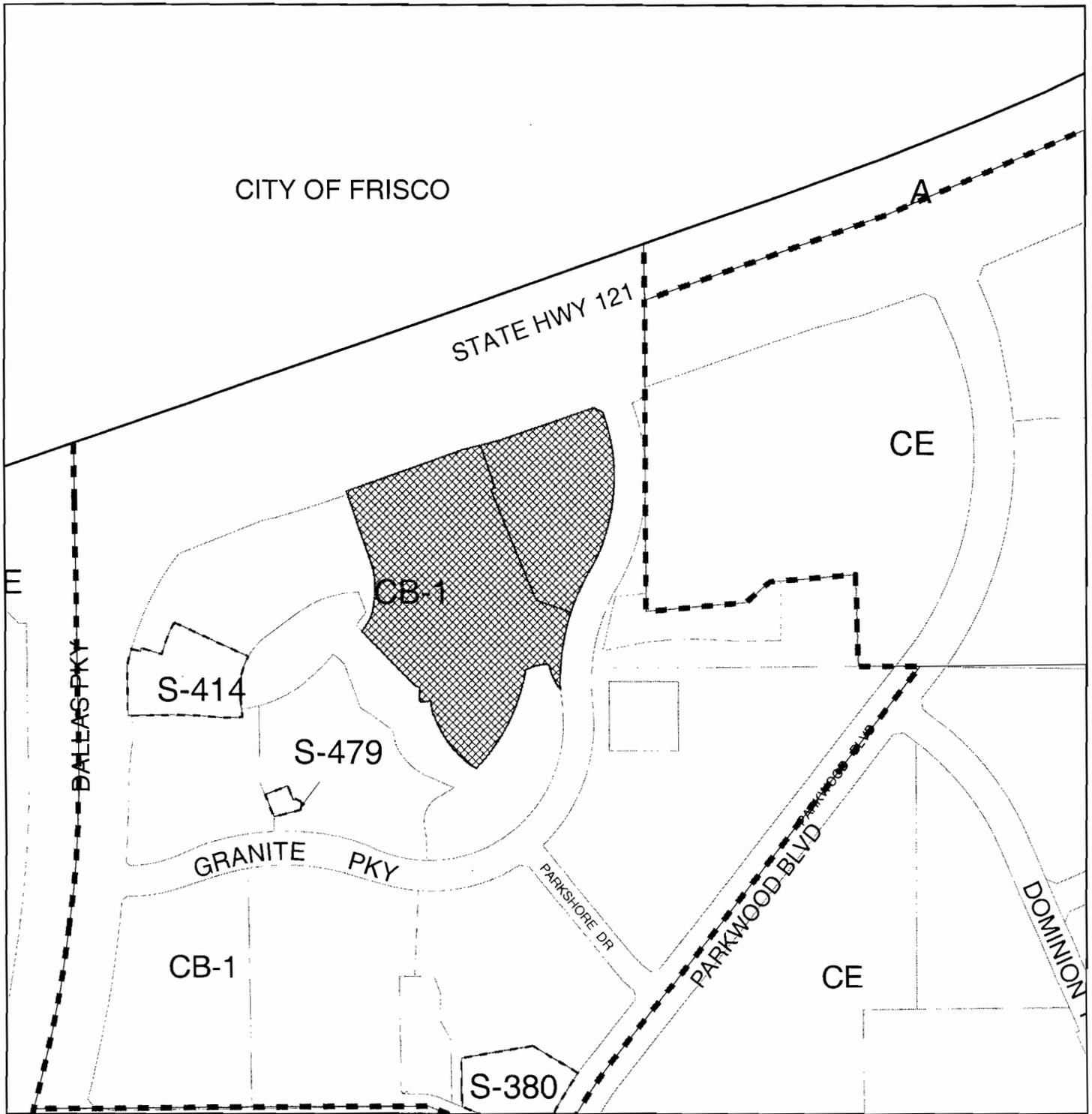
Title: LEGACY TOWN CENTER (NORTH)
BLOCK A, LOT 1

Zoning: PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1/
DALLAS NORTH TOLLWAY OVERLAY DISTRICT



○ 200' Notification Buffer

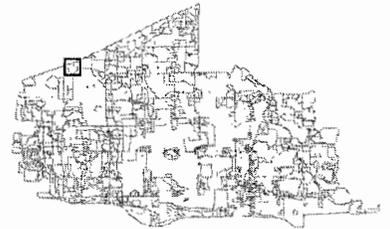




Item Submitted: REVISED PRELIMINARY SITE PLAN

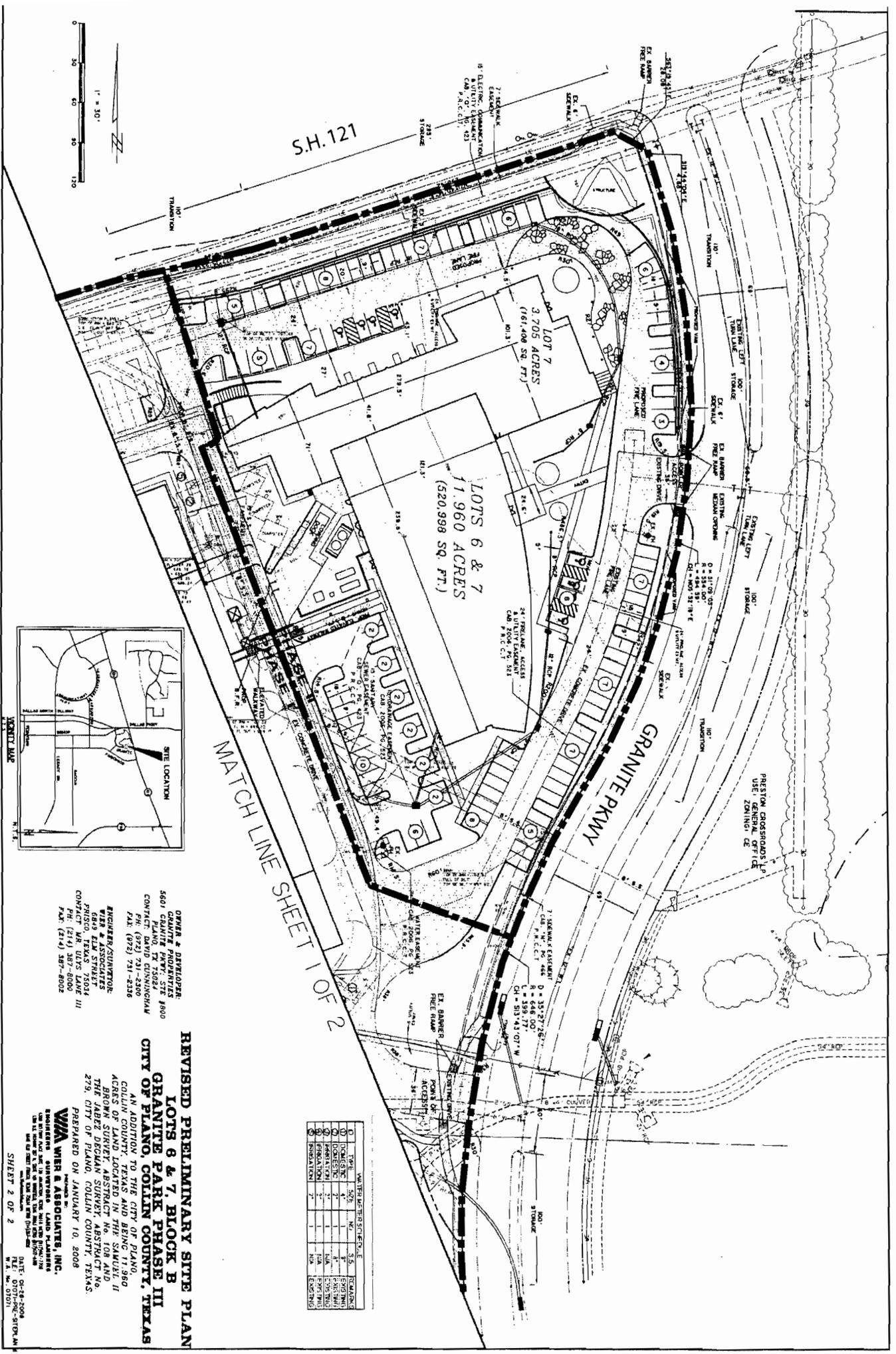
Title: GRANITE PARK
BLOCK B, LOTS 6 & 7

Zoning: CENTRAL BUSINESS-1/DALLAS NORTH TOLLWAY &
STATE HIGHWAY 121 OVERLAY DISTRICTS

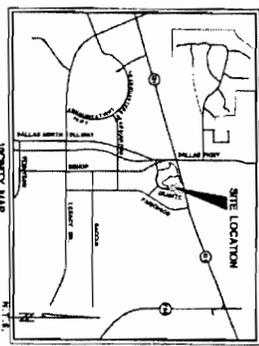


○ 200' Notification Buffer





S.H. 121



OWNER & DEVELOPER:
 GRANITE PROPERTIES 8000
 5601 PLANO, TX 75024
 CONTACT: DAVID CUNNINGHAM
 PH: (972) 731-2300
 FAX: (972) 731-2308

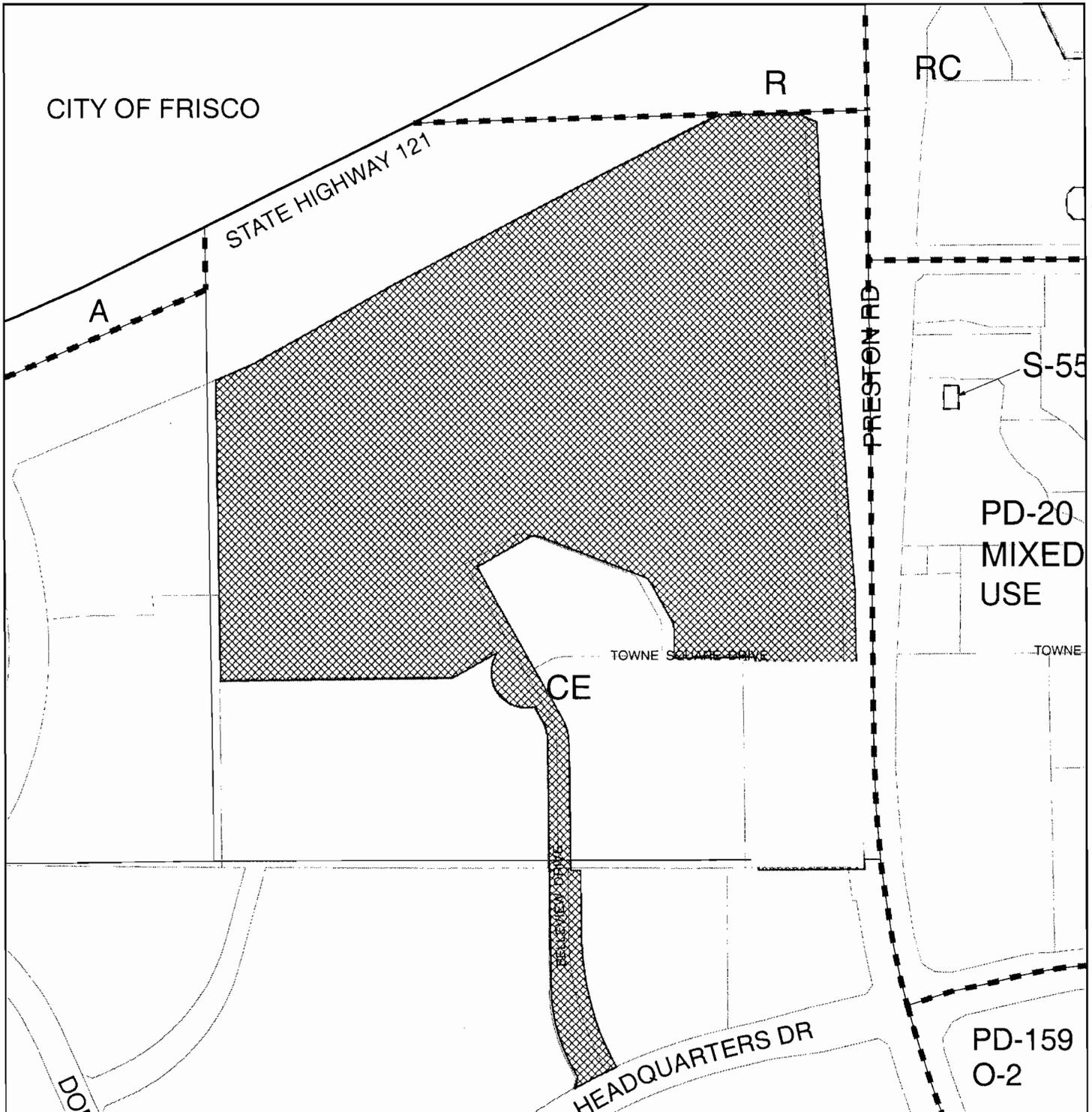
ENGINEER/SURVEYOR:
 WIER & ASSOCIATES
 6849 ELM STREET
 POKINGHAM, TEXAS 75004
 CONTACT: WALTER W. WIER III
 PH: (214) 387-8000
 FAX: (214) 387-8002

REVISED PRELIMINARY SITE PLAN
LOTS 6 & 7, BLOCK B
GRANITE PARK PHASE III
CITY OF PLANO, COLLIN COUNTY, TEXAS

AN ADDITION TO THE CITY OF PLANO,
 COLLIN COUNTY, TEXAS AND BEING 11,960
 ACRES OF LAND LOCATED IN THE SAUVELL II
 BROWN SURVEY, ABSTRACT NO. 108 AND
 THE JAEZ DEGMAN SURVEY, ABSTRACT NO.
 279, CITY OF PLANO, COLLIN COUNTY, TEXAS.
 PREPARED ON JANUARY 10, 2008

WIA WIER & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS, LAND PLANNERS
 6849 ELM STREET, SUITE 100, POKINGHAM, TX 75004
 TEL: (214) 387-8000 FAX: (214) 387-8002
 WIA WIER & ASSOCIATES, INC. IS AN EQUAL OPPORTUNITY FIRM
 DATE: OCT-28-2008
 SHEET 2 OF 2
 DATE: OCT-28-2008
 W.A. No. 01071

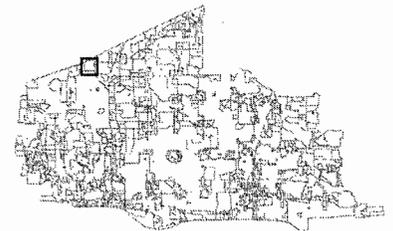
NO.	DATE	DESCRIPTION	BY	CHKD.
1	10/28/08	PRELIMINARY	W.W.	W.W.
2	10/28/08	REVISED	W.W.	W.W.



Item Submitted: REVISED PRELIMINARY PLAT

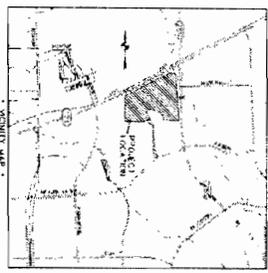
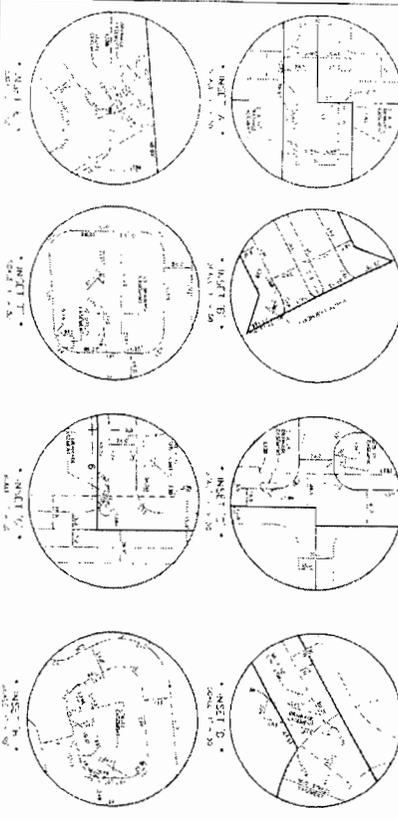
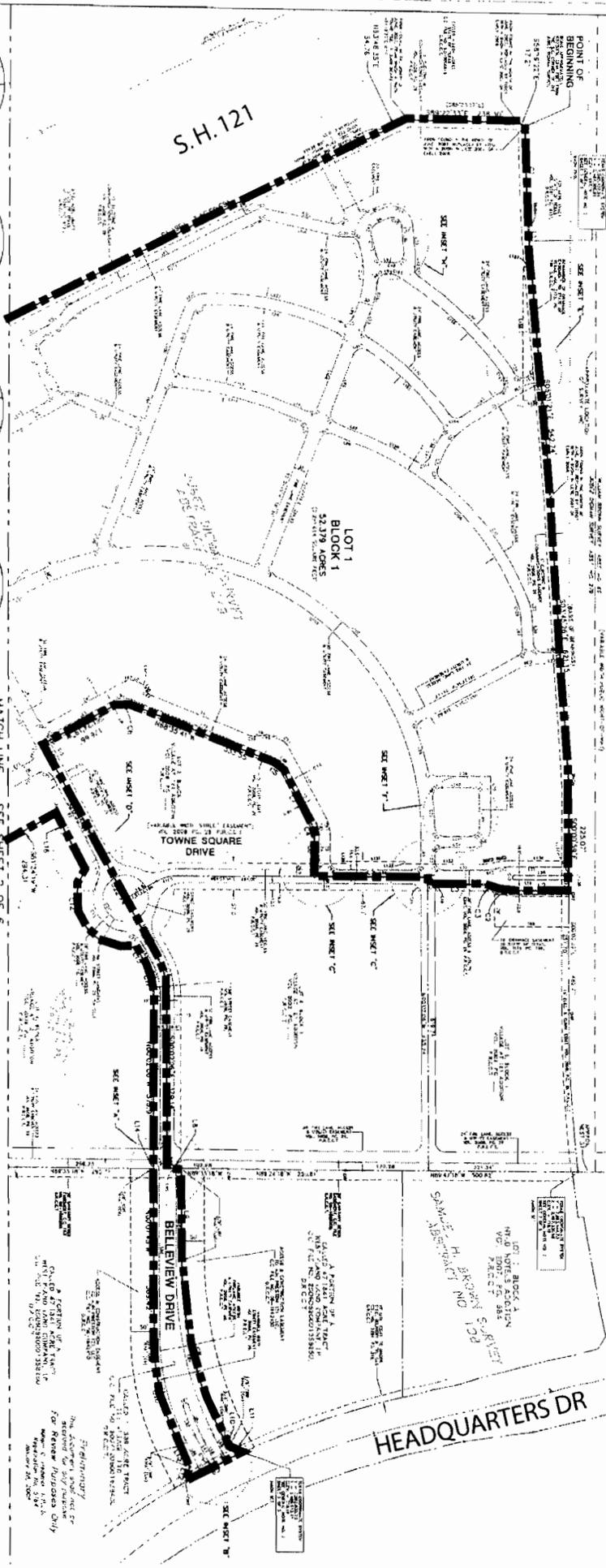
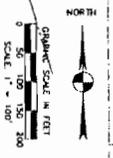
Title: VILLAGE AT 121 ADDITION
BLOCK 1, LOT 1

Zoning: COMMERCIAL EMPLOYMENT/
PRESTON ROAD & STATE HIGHWAY 121 OVERLAY DISTRICTS



McDERMOTT ROAD
WILLIAM BROWN SURVEY
ABSTRACT NO. 66

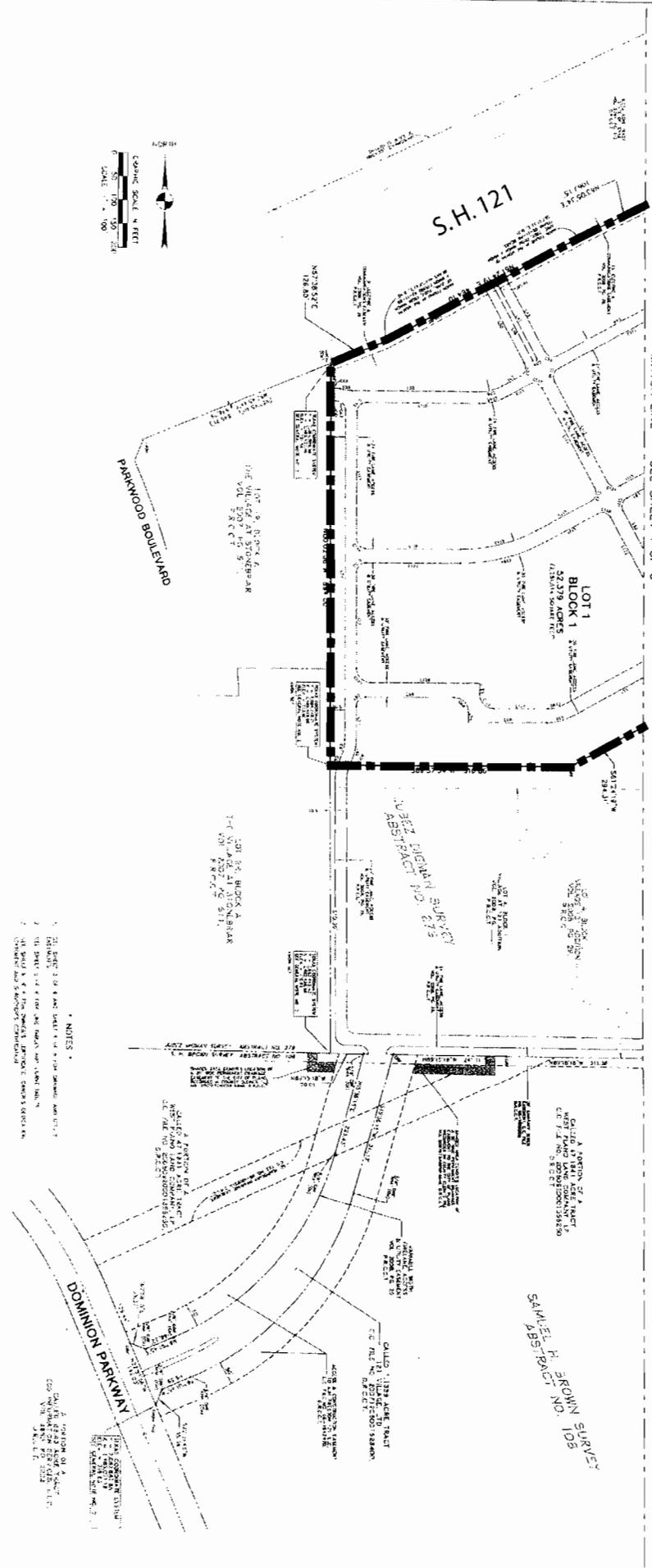
STATE HIGHWAY NO. 289 - PRESTON ROAD



MATCH LINE SEE SHEET 2 OF 6

*** LEGEND ***

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LEGEND

- 1. Survey of the boundary of the subject property as shown on the plat.
- 2. Survey of the boundary of the subject property as shown on the plat.
- 3. Survey of the boundary of the subject property as shown on the plat.
- 4. Survey of the boundary of the subject property as shown on the plat.
- 5. Survey of the boundary of the subject property as shown on the plat.
- 6. Survey of the boundary of the subject property as shown on the plat.
- 7. Survey of the boundary of the subject property as shown on the plat.
- 8. Survey of the boundary of the subject property as shown on the plat.
- 9. Survey of the boundary of the subject property as shown on the plat.
- 10. Survey of the boundary of the subject property as shown on the plat.

GENERAL NOTES

1. The bearings and distances shown on this plat were obtained from the field notes of the survey.
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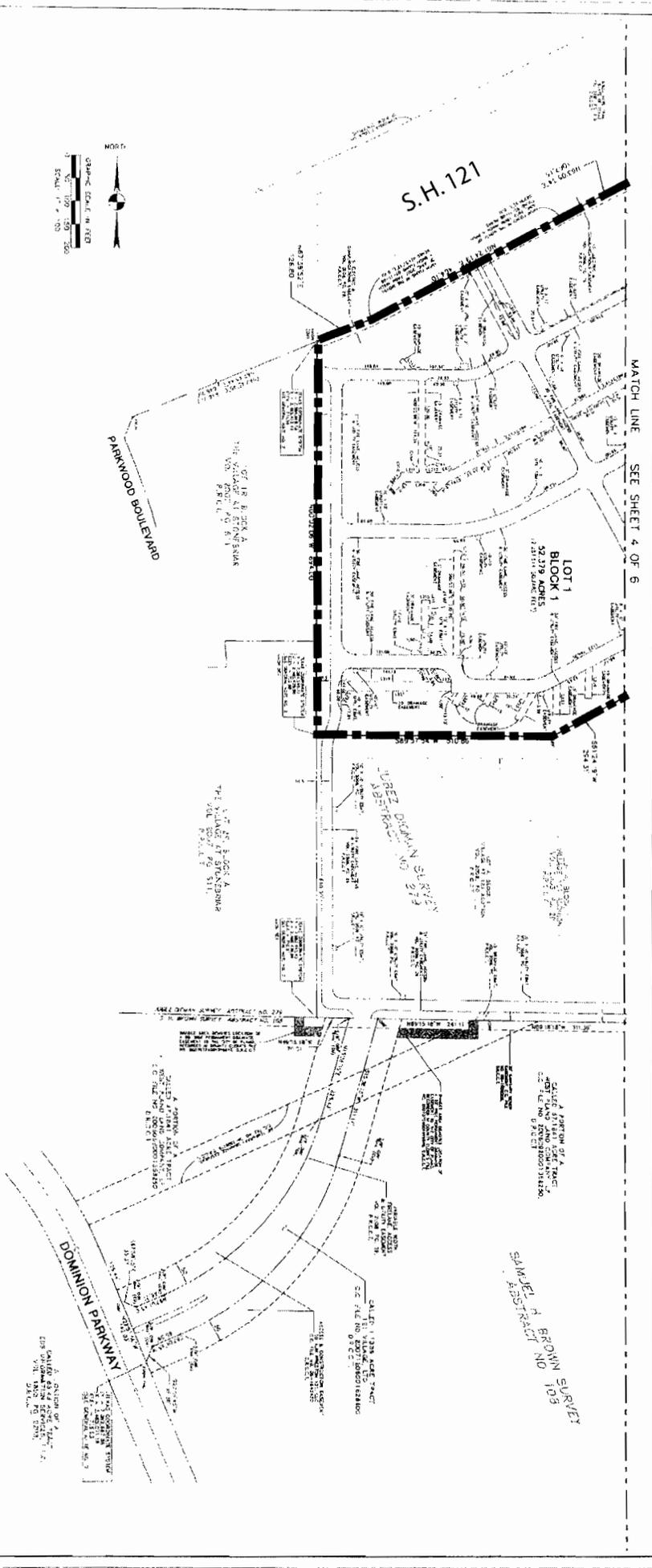
NOTES

1. The bearings and distances shown on this plat were obtained from the field notes of the survey.
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9. The bearings and distances shown on this plat were obtained from the field notes of the survey.
10. The bearings and distances shown on this plat were obtained from the field notes of the survey.

Final plat
 This document shall not be
 returned for any purpose
 For Review Purposes Only
 Survey of Abstract 279
 Survey of Abstract 279
 Survey of Abstract 279

APPLICANT/OWNER
 S.M. BROWN
 121 PARKWOOD BOULEVARD
 DALLAS, TEXAS 75244
 CONTACT: ADDRESS NUMBER
 121 PARKWOOD BOULEVARD
 DALLAS, TEXAS 75244

REVISOR FRED WINKLER, PLAT
LOT 1, BLOCK 1
VILLAGE AT 121 ADDITION
 IN ADDITION TO THE CITY OF PLANO,
 COLLIN COUNTY, TEXAS
 PER 3.57 1/2 ACRES OR LARNE LELAND
 IN THE SAMUEL H. BROWN SURVEY, ABSTRACT NO. 108
 AND THE JERRY Z. DOWAN SURVEY, ABSTRACT NO. 279
 CITY OF PLANO, COLLIN COUNTY, TEXAS.
 FILED 2-27-79 A.M.
 FEBRUARY 27, 1979



SECTION NO. 1

APPLICANT: [Name]

DATE: [Date]

PROJECT: [Project Name]

PREPARED BY: [Firm Name]

SCALE: 1" = 100'

REVISIONS:

NO.	DATE	DESCRIPTION
1		PRELIMINARY PLAN
2		REVISED PRELIMINARY PLAN

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA OF THIS TRACT IS 52.379 ACRES.
3. THE TRACT IS BOUND BY S.H. 121 TO THE NORTH, PARKWOOD BOULEVARD TO THE WEST, AND DOMINION PARKWAY TO THE SOUTH.
4. THE TRACT IS SUBJECT TO THE SAMPLER BROWN SURVEY ABSTRACT NO. 105.

APPLICANT'S REPRESENTATIVE:

[Name]

[Address]

[City, State, Zip]

DATE: [Date]

REVISIONS:

NO.	DATE	DESCRIPTION
1		PRELIMINARY PLAN
2		REVISED PRELIMINARY PLAN

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA OF THIS TRACT IS 52.379 ACRES.
3. THE TRACT IS BOUND BY S.H. 121 TO THE NORTH, PARKWOOD BOULEVARD TO THE WEST, AND DOMINION PARKWAY TO THE SOUTH.
4. THE TRACT IS SUBJECT TO THE SAMPLER BROWN SURVEY ABSTRACT NO. 105.

APPLICANT'S REPRESENTATIVE:

[Name]

[Address]

[City, State, Zip]

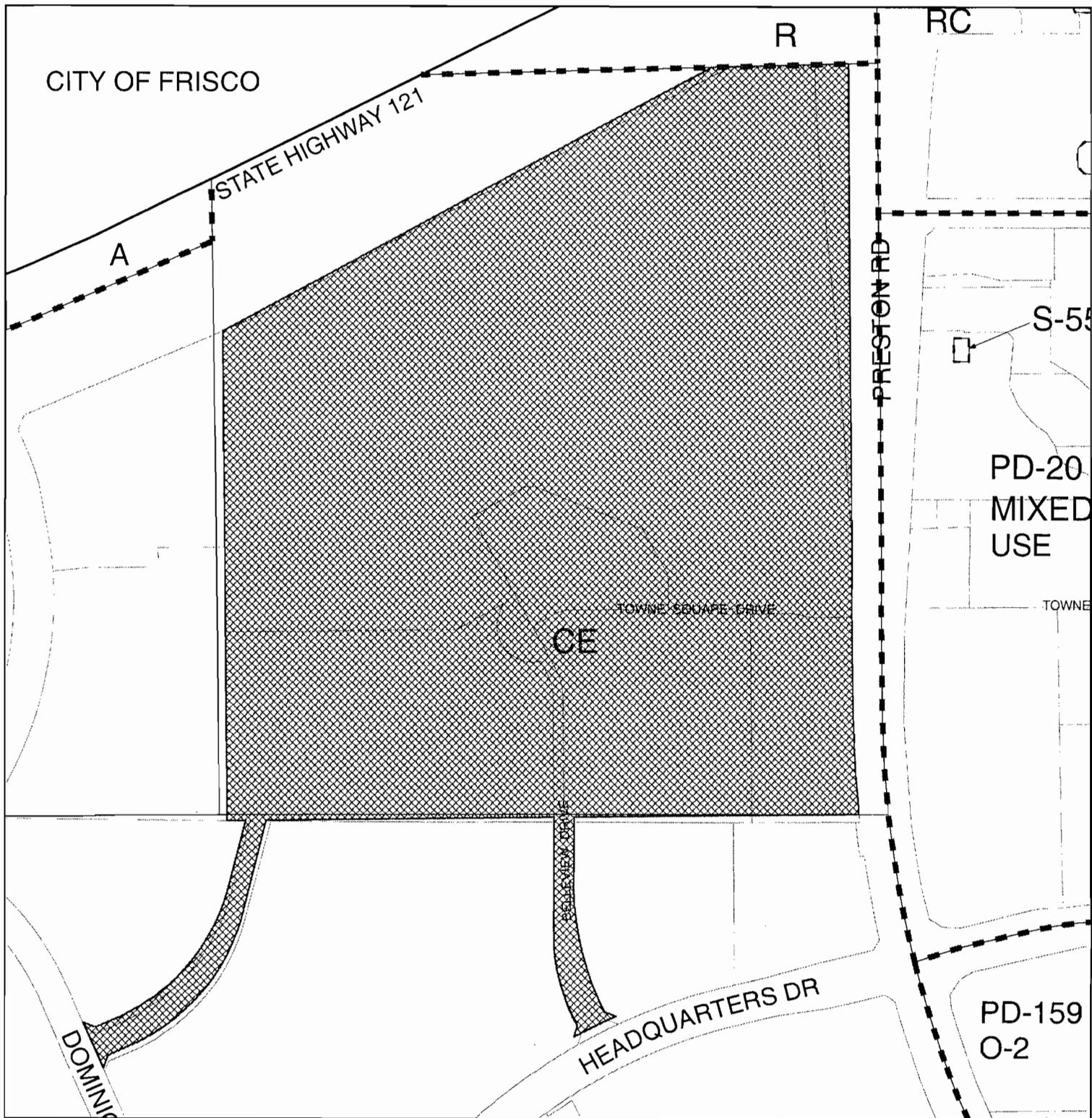
DATE: [Date]

REVISIONS:

NO.	DATE	DESCRIPTION
1		PRELIMINARY PLAN
2		REVISED PRELIMINARY PLAN

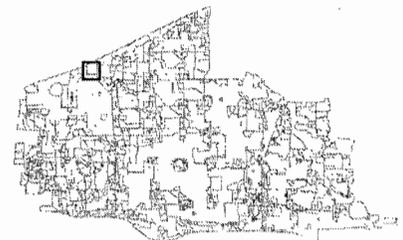
NOTES:

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. THE AREA OF THIS TRACT IS 52.379 ACRES.
3. THE TRACT IS BOUND BY S.H. 121 TO THE NORTH, PARKWOOD BOULEVARD TO THE WEST, AND DOMINION PARKWAY TO THE SOUTH.
4. THE TRACT IS SUBJECT TO THE SAMPLER BROWN SURVEY ABSTRACT NO. 105.



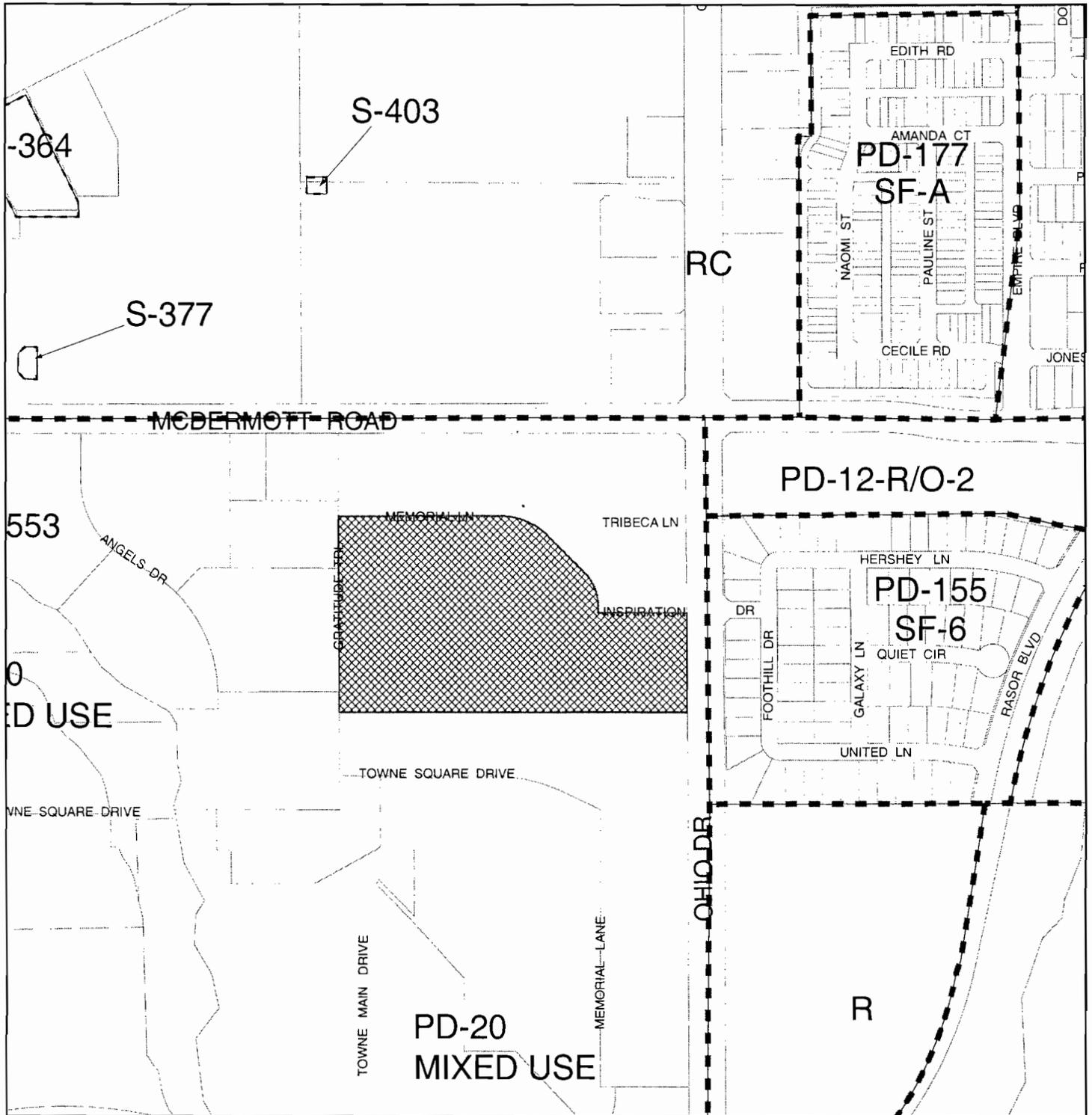
Item Submitted: REVISED CONVEYANCE PLAT

Title: VILLAGE AT 121 ADDITION
BLOCK 1, LOTS 1-5



Zoning: COMMERCIAL EMPLOYMENT/
PRESTON ROAD & STATE HIGHWAY 121 OVERLAY DISTRICTS

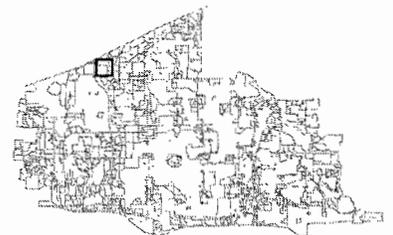
○ 200' Notification Buffer



Item Submitted: FINAL PLAT

Title: THE TRIBECA
BLOCK A, LOT 1

Zoning: PLANNED DEVELOPMENT-20-MIXED USE



○ 200' Notification Buffer



SURVEYOR'S CERTIFICATE

WE, THE UNDERSIGNED, BEING A REGISTERED SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THE PLAN FROM AN INSTRUMENT ON THE GENERAL SURVEY OF THE LANDS OF THE STATE OF TEXAS, AND THAT THE SAID INSTRUMENT WAS DULY PREPARED AND SUBMITTED TO THE COMMISSIONERS OF THE GENERAL SURVEY OF THE STATE OF TEXAS, AND THAT THE SAID INSTRUMENT WAS DULY APPROVED BY THE COMMISSIONERS OF THE GENERAL SURVEY OF THE STATE OF TEXAS.



David Brown & P.L.L.C.
3115 Grassy Creek, Suite 200
Frisco, Texas 75034
Phone: (972) 332-1585
Fax: (972) 332-1719

STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, on this _____ day of _____, 2008, 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.

THIS _____ DAY OF _____, 2008

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

CERTIFICATE OF APPROVAL

APPROVED this _____ day of _____, 2008, by the Planning and Zoning Commission, City of Plano, Texas.

CHIEF CLERK PLANNING & ZONING COMMISSION

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 consideration therein expressed.

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 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 consideration therein expressed.

THIS _____ DAY OF _____, 2008

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF COLLIN

WHEREAS, TRIBECA APARTMENTS LIMITED, in the name of a trust of which it is the sole trustee, is the owner of a certain tract of land situated in the Western Brown Survey, Suburban Urban Limited, located in Volume 5578, Page 155 of the Land Records of Collin County, Texas, being all or part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 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CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 6

Public Hearing: Zoning Case 2007-16

Applicant: City of Plano

DESCRIPTION:

Request to amend Section 1.600 (Definitions) of Article 1 (General Regulations) and Section 3.1000 (Screening, Fence, and Wall Regulations) of Article 3 (Supplementary Regulations), and related sections of the Zoning Ordinance regarding golf nets.

HISTORY:

On June 18, 2007, the Commission called a public hearing to consider amendments to the Zoning Ordinance to establish regulations that would allow golf courses and driving ranges to install protective netting where needed. Golf netting has never been specifically addressed in the Zoning Ordinance. The City recently settled a lawsuit over the installation of a golf net on a residential property. During mediation discussions associated with the settlement, the City agreed to consider amending the Zoning Ordinance to allow golf courses and driving ranges to erect nets. Staff has also been approached by golf course operators interested in erecting nets to address specific instances of golf balls being hit onto adjacent properties. For these reasons, the proposed amendment is being considered.

In preparing the proposed ordinance amendment, staff met with golf course and driving range operators, homeowners adjacent to such facilities, and the Plano Homeowners Council. On September 25, 2007, staff hosted a meeting with golf course and driving range operators to ascertain what options were available to address errant golf balls, to determine what their needs were in addressing the issue, and to assess what they perceived as potential issues associated with allowing golf nets. Many of the operators were concerned that if the Zoning Ordinance was amended, the nets would essentially become mandatory. They also expressed concern regarding weathering and maintenance of nets and obstructing view of the courses from nearby residences, and suggested that if golf nets were to be allowed that it was important to differentiate requirements for nets associated with courses separately from driving ranges.

During January 2008, staff distributed the proposed ordinance amendment to the operators for review and comment, as well as to homeowner association representatives adjacent to golf courses and driving ranges, and the Plano Homeowners Council. Staff hosted a meeting on January 24, 2008, with homeowner association representatives and residents to inform them of the proposed ordinance amendment. The majority of the residents in attendance expressed opposition to the nets being allowed. A minority opinion expressed allowing golf nets was necessary for not only protecting homes but also for protecting persons within their yards. Additional comments received included: concern that the proposed ordinance language was not specific enough as to where nets could be placed; it did not contain provisions for maintenance of nets; the maximum allowed height is too tall and there is no maximum net width (length) specified; and golf nets would decrease property values.

On February 4, 2008, the Planning & Zoning Commission conducted a work session to discuss the proposed ordinance amendment. The Commission accepted public comment from residents and golf course operators in attendance. Residents expressed opposition to allowing the nets due to potential diminished property values, the visual impacts of nets on the course properties, and size of nets. A course operator commented that golf courses are going to be concerned about protecting the integrity of the course without nets being located everywhere and protection of people. The Commission discussed at great length whether it was appropriate or not to allow the nets on golf course and driving range properties.

On February 7, 2008, staff presented the proposed amendment to the Plano Homeowners Council (PHC). It was the consensus of the PHC that they did not want the nets to be permitted at all.

REMARKS:

As previously noted, the Zoning Ordinance does not specifically address golf nets. Staff believes it is appropriate to formally consider amendments to the Zoning Ordinance to allow golf nets and propose the following amendments.

Definition:

The Zoning Ordinance does not define golf nets. Staff feels it is appropriate to distinguish from fences and recommends the following definition for golf nets:

“Golf Nets - A vertical net designed to confine golf balls to a country club (private), outdoor commercial amusement, or golf course.”

Permitted Locations:

The proposed amendment allows for the nets to be placed on golf course and driving range properties since that is the source of the errant golf balls. The proposed amendment does not allow for nets to be placed on residential properties. Given the comments received from the Commission, operators, residents and PHC, staff modified the proposed ordinance to more clearly state where nets shall be permitted.

Staff proposes to amend Section 3.1000 (Screening, Fence, and Wall Regulations) of Article 3 (Supplementary Regulations) to allow country clubs (private), outdoor commercial amusements and golf course uses in any zoning district to be able to install golf nets provided it is in accordance with regulations established for golf nets.

Development Standards:

The proposed amendment specifies that the golf nets shall be of flexible netting and be cable-supported with structural supports. This would prohibit the use of chain link and other materials not designed to control the flight of golf balls.

Zoning districts in which country club (private), outdoor commercial amusement and golf courses are permitted typically have setback requirements from property lines. The proposed amendment exempts golf nets from complying with setback requirements in order to allow flexibility as to where the nets may be placed. Topographical features, such as terrain, creeks/ravines, etc., trees, and the golf course layout will, to a certain extent, dictate where nets can be sited on a property. Under the proposed amendment, it is possible that a net could be placed adjacent to the shared property line that separates golf course and residential properties.

The maximum permitted height proposed for golf nets is 60 feet. Golf course and driving range operators advised staff that a 35-foot tall net height, the maximum height in most residential districts, would likely not be sufficient to contain a majority of the errant golf balls. The topography of the land and design of the course will be significant contributing factors as to the height of the net installed. Additionally, the supporting poles for the nets will be a determining factor in the overall height of the net as well. Generally, the maximum height for wood poles is 80 feet whereas it is approximately 150 feet for steel poles. Sixty feet is also consistent with the maximum height allowed by right for cellular antenna towers in non-residential districts.

The proposed amendment prohibits flags, signs, banners or other appurtenances from being attached to the structural supports or the golf nets.

RECOMMENDATION:

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

1. Amend Section 1.600 (Definitions) of Article 1 (General Regulations) to create the following definition for golf nets:

Golf Nets - A vertical net designed to confine golf balls to country club (private), outdoor commercial amusement, or golf course uses.

2. Amend Section 3.1000 (Screening, Fence, and Wall Regulations) of Article 3 (Supplementary Regulations) by adding the following new standards for golf nets to read as follows:

3.1005 Golf Nets

Country club (private), outdoor commercial amusement, or golf course uses in any zoning district, but not residential uses, shall be permitted to install golf nets in accordance with the following:

- (1) Golf nets shall be constructed of flexible netting and be cable-supported with structural supports.
- (2) Golf nets shall be exempt from setback requirements.
- (3) Golf nets including any structural supports shall not exceed a maximum height of 60 feet.
- (4) No flags, signs, banners or other appurtenances shall be attached to the structural supports or golf nets.

February 15, 2008

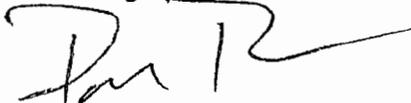
Planning and Zoning Commission
City of Plano

Dear Members:

Thank you for your consideration regarding reading my thoughts for the proposed golf net ordinance in the City of Plano. I live in the City of Plano at 6617 Muirfield Circle, which is next door to the golf net in the City of Plano at 6621 Muirfield Circle (Darvish). As a result, I can tell you strongly that I do not support the proposed ordinance as currently drafted. Please see below my thoughts on the ordinance:

- 1) It solves no problems. The golf course can simply say no to the private citizen and the citizen is right back in court suing the golf course to compel the golf course to install a net.
- 2) 60 feet is too tall. Golf courses have nothing to do with cell towers. As I understand it, the Darvish's had no issues with their neighbors based on their prior net of what they say was 35 feet tall. I never measured it so maybe it was or wasn't. Regardless, 60 feet is way too tall.
- 3) The width of any proposed golf net must be considered. The Darvish's replaced their old net with a net that was not only much taller but also much wider. The Darvish's golf net is so wide, it almost runs the entire property line between our homes and is directly over my driveway.
- 4) What all this means is the following. Empower citizens to install their own golf nets within some maximum guidelines. I would recommend a maximum size 30 feet tall by 45 feet wide. That protects a back yard and most importantly children while maintaining the aesthetics about which so many of your citizens care. Require a minimum set off from neighboring properties of 10 yards to ensure the problem is not shifted from one yard to the next. Require that the structure have safety cushions around the steel poles to limit the effects of "ricochet" golf balls into neighboring properties. And critically, this keeps people out of court by establishing well-defined guidelines.
- 5) Everyone who buys a home on the golf course enters into an implicit contract to have golf balls coming at them from the golf course but one does not expect their neighbors to have the right to install a gargantuan net that can shift their golf ball problems to someone else.
- 6) **It is critically important that citizens exercise a sense of responsibility in this matter.** People cannot expect to purchase a lot on a pre-existing golf course 150 to 200 yards on the right hand side of a dogleg fairway and avoid a significant number golf balls. That is why a "reasonably" sized net is reasonable and a gargantuan sized net is not. People must be held accountable for their own ignorance about living on a golf course yet have some ability to protect their property and family.
- 7) Finally, I have attached my testimony to the Board of Adjustments in August 2006 and the Board of Adjustments "Finding of Facts". My views have not changed.

Best regards,



Patrick Boyce

Mr. Bibb informed Mr. Bragalone that this was not in his presentation.

Mr. Bragalone said, "It was with the application. And the words reasonable and extraordinary need to be switched, because it is not reasonable measures from an extraordinary danger, it is extraordinary measures from a very common danger. So the real question is does a property owner have a right to take extraordinary measures to prevent a very expected, common, ordinary risk? Like buying a motorcycle and complaining when you get wet. The answer to the question is no.

Another way of phrasing that is, does a homeowner have the right to violate the law to build a 50 ft. fence that lowers all the property values but his own, destroys the view of everyone but him, and causes his share of golf balls to now land in his neighbors yard when that homeowner bought his lot fully aware of all the risks of living on a golf course and of course the answer to that question is no.

I urge you to deny this variance request and as the trash cans say keep the City of Plano Beautiful."

→ Mr. Patrick Boyce, next door neighbor testified:

That he was not happy to be here. You would never want to go against your neighbor; my wife can't open our garage door now because she is afraid to see their family. I would not wish this on anybody to have this happen to you. I'm here for the safety of my own children, I love my kids. I talked to Saadi the night this was installed on June 9th, he told me if you love your children you would put up a net on your own. I said lets just agree we love our children the same. For me it is an emotional issue because I had the love of my children challenged.

This fence endangers as much as it protects, and that is unfortunate because I care a lot about Marko, which is his son as well as my daughter has played in his home. I care a ton about him, but move.

I am an experienced golfer unlike Saadi, I played college golf and I'm a pretty good golfer. I've played #5 many times. Not once have I tried to cut that corner. Not one time, I played the championship club flight of Prestonwood. I've played with guys who are hacks, who shoot over 100 and I don't mean that in a derogatory way, but not one time and I have a neighbor sitting over here who sits out every Saturday morning, not one time has he seen somebody try to cut that corner. The facts you were told just were about the hole are incorrect. It is 376 yards from the tips. The golf course is a very short golf course; it is 6451 yards if I remember correctly.

There are three large trees planted if you flip to my presentation (he submitted a handout before the meeting began) on #2 it the design of the hole to blame? The applicant plainly states that golfers aim at their home to drive the green and reduce two shots to one.

In my experience no one does this. Have I and my playing partners hit balls on both sides of the yard, absolutely. Phil Michelson in the US Open pulled at 50

yards left on number 18 and he is a fabulous golfer, bad shots happen. You are going to get golf balls in your yard. That happens.

On Fox 4 News I don't know if you guys saw that. I do not know how they found out about this case. It aired amazingly the Sunday we were supposed to do this and I don't know what the coincidence was there. But, Saadi walks into his yard and says this window has been broken three times.

I moved from another home behind the second hole, he has lived there since 1998, so we are talking eight years. I had a window at my home on 2716 Prestonwood that was broken three times last year alone. This is not unique at all.

I told a colleague at work what was going on and he said, let me guess the home is about 150 yards to the right hand side of the fairway. Because that is where you hit bad shots. I said yes they are. So I analyze the golf course that is what I do for a living, there are 18 holes, there are 12 holes that have homes about 150 yards off the golf course, rough numbers I estimate that there are 30 or 40 homes that are in the situation just like this home.

I have a 1.4 handicap index out there so I'm a pretty good, I've hit one home 10 times on number 14, and the hole is dead straight. I don't try to hit it, that is just what happens when you play golf. I think that is very important.

You are talking about 270 golf balls there, well; 3 weeks ago I let all the golf balls accumulate in my yard and at the trees that are at the base of this net. I had 25 balls in my yard that hit his net. What this net does is shift the risk from his family to my family and having a 1 year old and a 3 year old girls makes me incredibly nervous because at a party we were having for my granddad's 90th birthday, one of the golf balls, this was with the old net, it hit the net came off and almost hit me.

The first time I met Saadi's wife I told her that my pool guy told me not to stand next to where our pool is between the net and the yard because its like being in the foul ball zone at a baseball park because the balls bounce from the net. That was the old net. (Assuming that the golf balls don't hit the round poles.) This net seems to do a better job of just putting them in my trees instead of the foul ball zone.

The balls shouldn't be on my property, it is real simple, I don't understand why it wasn't built 20 yards, I'm not arguing the looks or anything, do I like any of it, no, but I'm arguing completely for the safety of my family. That is what I want you guys, I agree with Ryan this is about safety and what price is a life and I would ask you guys very seriously, it is great to protect their family but does the City of Plano want to put my family in the way while they are protecting his family when it is clearly in violation of the Ordinance.

With that the property value, the home I bought I feel very fortunate to have it, I put a bid in for \$70,000 lower than the price and I bought it. The home had been for sale for 2 years, it originally listed for \$700 and something thousand, I paid \$150,000 less for it. So, to argue that the only property value, you can look at

the City tax rolls, I encourage you guys to do that while you are thinking about this, my home is significantly lower than it was last year.

So to argue that the Darvish's family is the only that ever incurs any discount at all, I can't imagine what it is now because it was never submitted in testimony that the net is not only taller, it is also at least twice the width.

Now my children cannot enjoy our drive way, I can't shoot basketball outside anymore, I can't park my car outside anymore because the balls have the potential to bounce off the net and hit my cars. If you take a look at the pictures, previously the old net only covered a part of the back yard, not all the way up to where our driveway is. That is what my big issue was, it is too close to my line where in endangers my family, and it endangers my possessions too, which is not near as important as hurting my kids. But, that is a consideration for me as well but no where near as keeping my family safe.

Mr. Bob Gehbauer, neighbor, testified:

That his home is also on the number 5 fairway directly across from the Darvish's property and as such the view of that illegal fence is large part of the landscape that I look out from my backyard. If you think it is an eyesore today I would point out to you that it is largely hidden by the trees, the leaves on those trees. Just think about what it is going to look like in a few months when those leaves fall down, it will be even a greater eye sore.

There is an old saying in real estate that there are three things that are important to property values, location, location, location each of us in this room including the Darvish's paid a premium for the lots because of the location of the view that we had of the golf course. We are accessed with taxes every year at a premium based upon that location but, because of the action he has taken unilaterally our view has been permanently destroyed and I submit along with that, property values.

Mr. Bibb made a point that it was not about finances, it is the approval of the variance that can't be about property values, and the fact that their action is ruining my property values I submit is very different.

Three years ago I served on the Board of our homeowners association which you heard is not the same association as Muirfield Estates. One of our neighbors right across the street from me, lives on the ninth fairway applied for a fence similar to the one the Darvish's previously had. It was the same basic rationale, they had a stucco home, it was being pitted by golf balls and they were concerned for the safety of their family. Our Board denied that variance request and the net was never built.

I should point out to you that across from that home are primarily the clubhouse and lake, not other houses. Our conclusion was that the golf course existed prior to that person purchasing that property and their ignorance of the dangers was not ours to solve and that it was no reason for exception. Our biggest concern was that if we approved that net every other homeowner who felt similarly threatened could apply for a variance and we would not be able to deny it.

Moreover, the Applicant testified that no alternative methods for addressing concerns relating to the flying golf balls were explored. No attempt was made to approach the Golf Course management to change the golf course's rules for players nor has the property owner explored other types of netting, such as a "batting cage" type net, where the height of the net would comply with the provisions of the Zoning Ordinance or would not require a variance in excess of 500% of the allowed fence height.

(5) Requiring the Applicant to comply with the Zoning Ordinance does not deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions. Again, the Applicant's property is located in a golf course community. The Applicant's neighbors who also have homes on the golf course have testified that they also regularly get golf balls on their property but getting flying golf balls is an inherent risk of living next to a golf course. The neighbors further expressed that part of the reasons they paid a premium price to live next to a golf course is the view and such view is greatly distorted by the Applicant's 50 foot fence. To grant the Applicant this variance would give him a greater right than that of his neighbors since he will be able to enjoy the view of the golf course while being protected from the inherent risk of living next to a golf course.

(6) A variance cannot be granted if it results in unnecessary hardship to other properties. The Board has received substantial evidence that neighboring properties will be substantially or permanently injured by the presence of a 50 foot fence in the Applicant's yard. The Board received testimony from representatives of the Homeowner's Association that allowing the Applicant to keep the 50 foot fence in his yard not only distorts the neighbor's view of neighborhood, but will potentially reduce their property value because of the unsightliness of the fence. In addition, the Board heard testimony from the Applicant's next door neighbor that the 50 foot fence has caused golf balls to bounce back or "ricochet" from the 50 foot fence to his property. He further testified that the effects of the "ricochet" ball present an imminent danger to his family and property because of the speed involved.

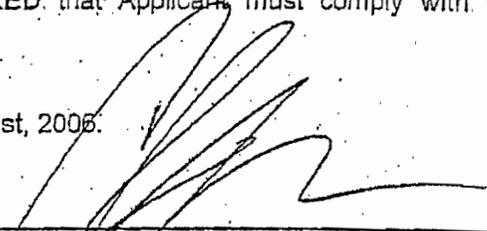
We received no testimony that allowing a 50 foot fence will maintain or improve the public convenience and welfare. In fact, based on the evidence presented, granting this variance will be contrary to the public convenience and welfare because of the adverse effects it creates for the surrounding neighbors. In addition to the adverse aesthetic and property value concerns raised by the Homeowner's Association, the adjacent neighbor testified of imminent dangers relating to "ricochet" golf balls.

The property owner also testified that one of the reasons for the requested variance was to protect the safety of himself and his family. The provisions of Section 6.208 of the Zoning Ordinance do not contain a personal safety exception. The standard for the Board to consider in reviewing variances is discussed above. The Board considered the testimony regarding the issue of personal safety and for the reasons stated above, find that the variance should not be granted.

IT IS THEREFORE ORDERED that the Applicant's request for variance (Appeal #06-011Z) to allow a fence to exceed the maximum allowed height by 42 feet for a total of 50 feet in height is hereby **DENIED**.

IT IS THEREFORE ORDERED that Applicant must comply with the City's fence regulations, as amended.

SIGNED this 25th day of August, 2006.


Chris Caso, Chairman
Board of Adjustment

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 7

Public Hearing: Zoning Case 2007-61

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #207 for Private Club on one lot on 1.0± acre located on the east side of Preston Road, 1,370± feet north of Park Boulevard. Zoned Retail.

REMARKS:

This zoning case was previously approved by the Planning & Zoning Commission on January 7, 2008. Subsequent to that meeting, staff became aware of an error in the notice of the public hearing and therefore had to re-notify property owners and bring this case back before the Commission.

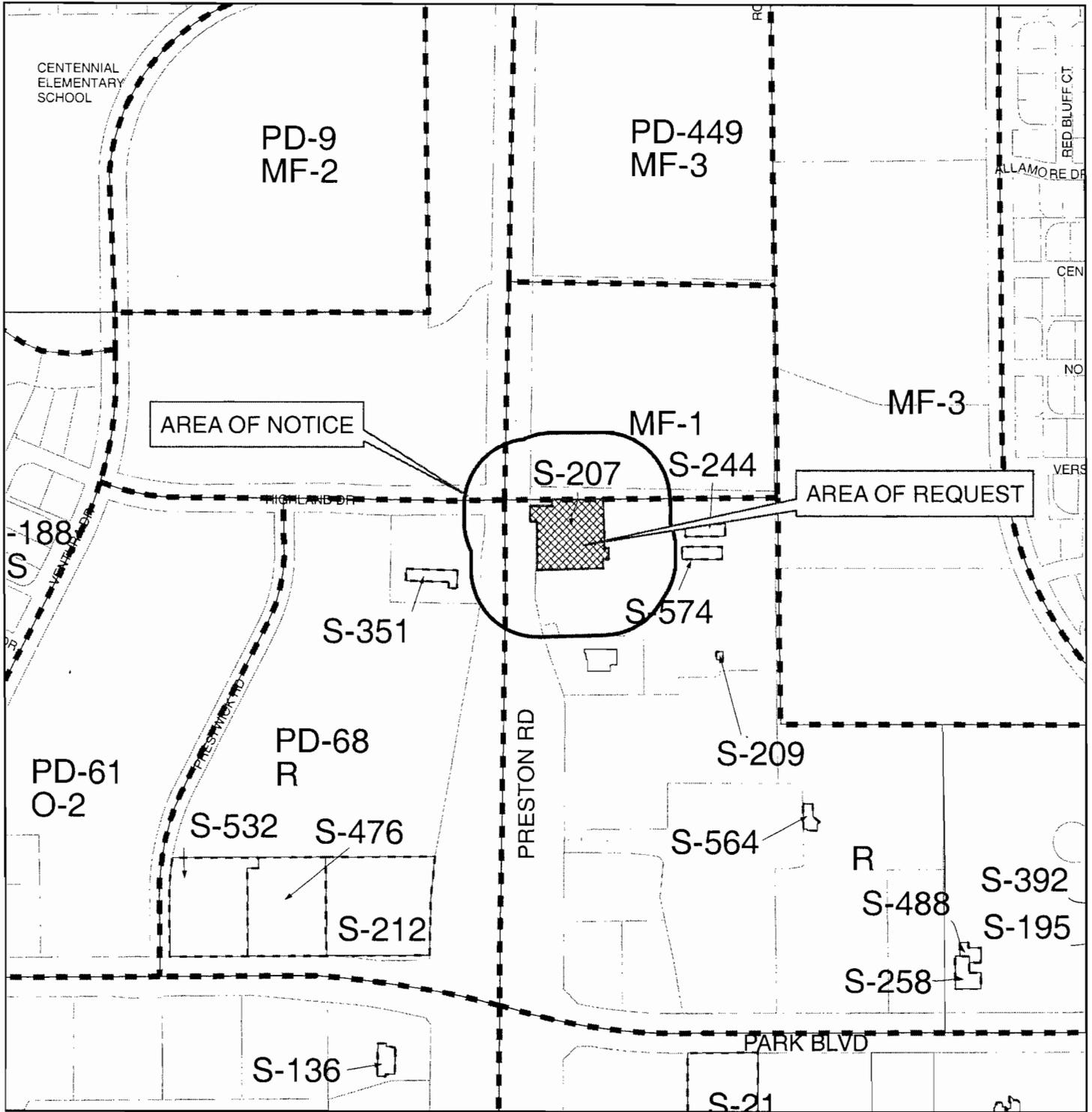
This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #309 for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for a Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

T.G.I. Friday's restaurant operates with a Mixed Beverage Permit from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded, since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

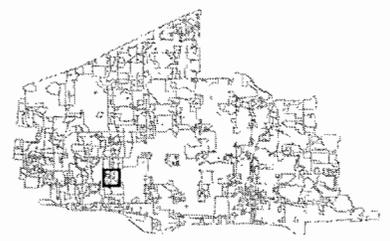
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2007-61

Existing Zoning: RETAIL w/SPECIFIC USE PERMIT #207/
PRESTON ROAD OVERLAY DISTRICT



○ 200' Notification Buffer



REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2007-61. This is a request to rescind Specific Use Permit #207 for Private Club on one lot on 1.0± located on the east side of Preston Road, 1,370± feet north of Park Boulevard. Zoned Retail. The requested zoning is to rescind SUP #207 for Private Club and retain the underlying R zoning district. The R zoning will remain unchanged.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-61.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-61.

This item will be heard on **February 18, 2008, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed zoning change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

IRIS HUANG
Name (Please Print)

[Signature]
Signature

Address

2/8/08
Date

EH

REPLY FORM

RECEIVED
FEB 14 2008
PLANNING DEPT.

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



Dear Commissioners:

This letter is regarding Zoning Case 2007-61. This is a request to rescind Specific Use Permit #207 for Private Club on one lot on 1.0± located on the east side of Preston Road, 1,370± feet north of Park Boulevard. Zoned Retail. The requested zoning is to rescind SUP #207 for Private Club and retain the underlying R zoning district. The R zoning will remain unchanged.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-61.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-61.

This item will be heard on **February 18, 2008, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed zoning change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

Marianne Ives
Name (Please Print)
2524 Preston Road #406
Plano, TX 75093
Address

Marianne Ives
Signature
2/2/2008
Date

EH

RECEIVED

FEB 11 2008

PLANNING DEPT.

REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2007-61. This is a request to rescind Specific Use Permit #207 for Private Club on one lot on 1.0± located on the east side of Preston Road, 1,370± feet north of Park Boulevard. Zoned Retail. The requested zoning is to rescind SUP #207 for Private Club and retain the underlying R zoning district. The R zoning will remain unchanged.

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

Yes I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-61.

 I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-61.

This item will be heard on **February 18, 2008, 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.

It is alright with me

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

Name  Richard S Agnew
Unit 1204
2524 Preston Rd
Plano TX 75093-3574

Richard S. Agnew
Signature

Address _____

2-1-08
Date

EH

REPLY FORM

RECEIVED
PLANNING DEPT.

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



Dear Commissioners:

This letter is regarding Zoning Case 2007-61. This is a request to rescind Specific Use Permit #207 for Private Club on one lot on 1.0± located on the east side of Preston Road, 1,370± feet north of Park Boulevard. Zoned Retail. The requested zoning is to rescind SUP #207 for Private Club and retain the underlying R zoning district. The R zoning will remain unchanged.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-61.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-61.

This item will be heard on **February 18, 2008, 7:00 p.m.** at the Plano Municipal Center, 1520 K Avenue. Please provide your written comments below regarding the proposed zoning change. If additional space is required, you may continue writing on a separate sheet, one-sided for printing purposes.

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

Cordia S. Robertson
Name (Please Print)

X Cordia S Robertson
Signature

2524 Preston Rd #1208
Address

1/30/08
Date

EH

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 8A

Public Hearing: Zoning Case 2008-01

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #367 for Private Club on one lot on 0.9± acre located on the north side of 18th Street, 200± feet west of K Avenue. Zoned Downtown Business/Government.

REMARKS:

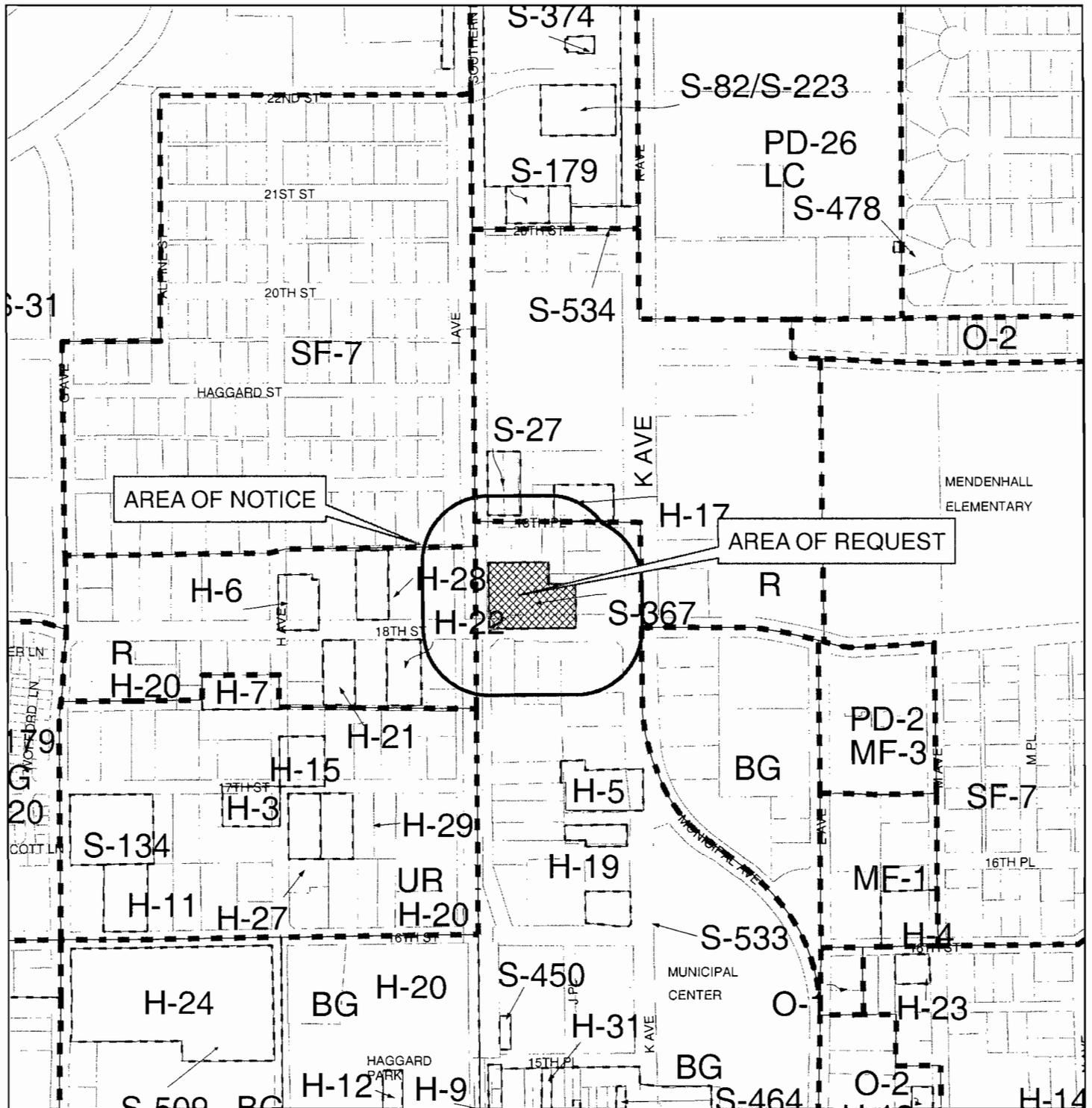
This is a city-initiated zoning request to rescind Specific Use Permit #367 (SUP #367) for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for a Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

Aparicio's operates with a Mixed Beverage Permit from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

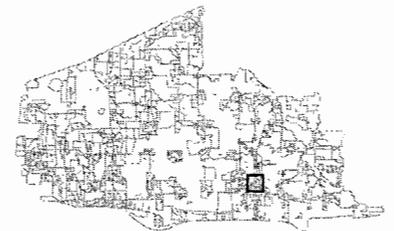
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2008-01

Existing Zoning: DOWNTOWN BUSINESS/GOVERNMENT
w/SPECIFIC USE PERMIT #367



○ 200' Notification Buffer

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 8B

Public Hearing: Zoning Case 2008-02

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #372 for Private Club on one lot on 2.3± acres located on the east side of U.S. Highway 75, 1,660± feet north of Parker Road. Zoned Corridor Commercial.

REMARKS:

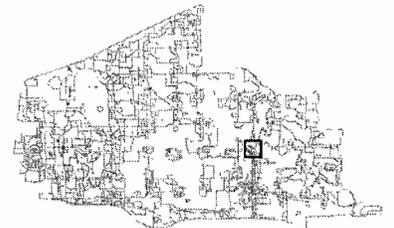
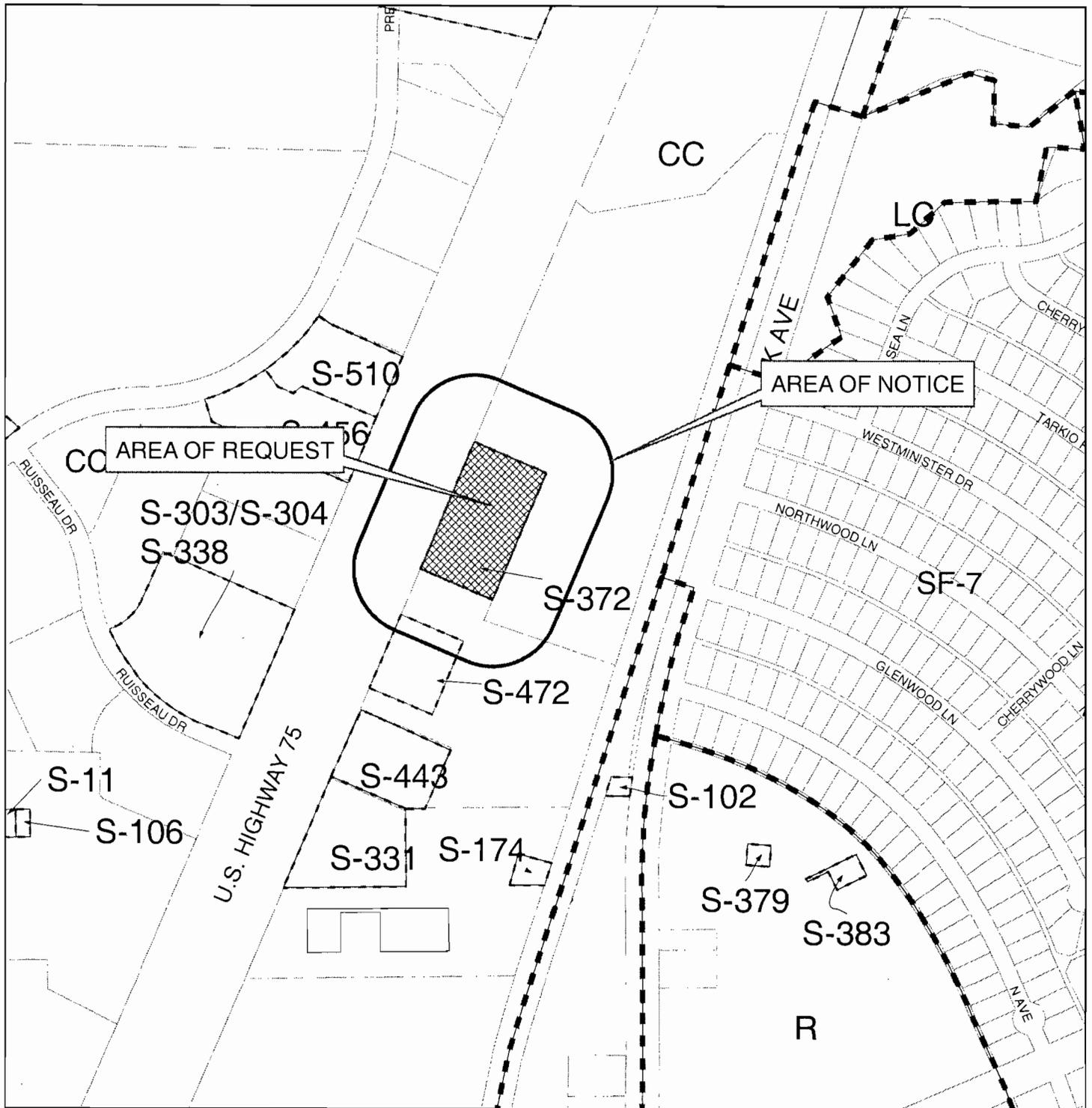
This is a city-initiated zoning request to rescind Specific Use Permit #372 (SUP #372) for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for a Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

Abuelo's operates with a Mixed Beverage Permit from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2008-02

Existing Zoning: CORRIDOR COMMERCIAL w/SPECIFIC USE PERMIT #372

○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 8C

Public Hearing: Zoning Case 2008-03

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #373 for Private Club on one lot on 0.1± acre located on the north side of Spring Creek Parkway, 625± feet west of Coit Road. Zoned Retail.

REMARKS:

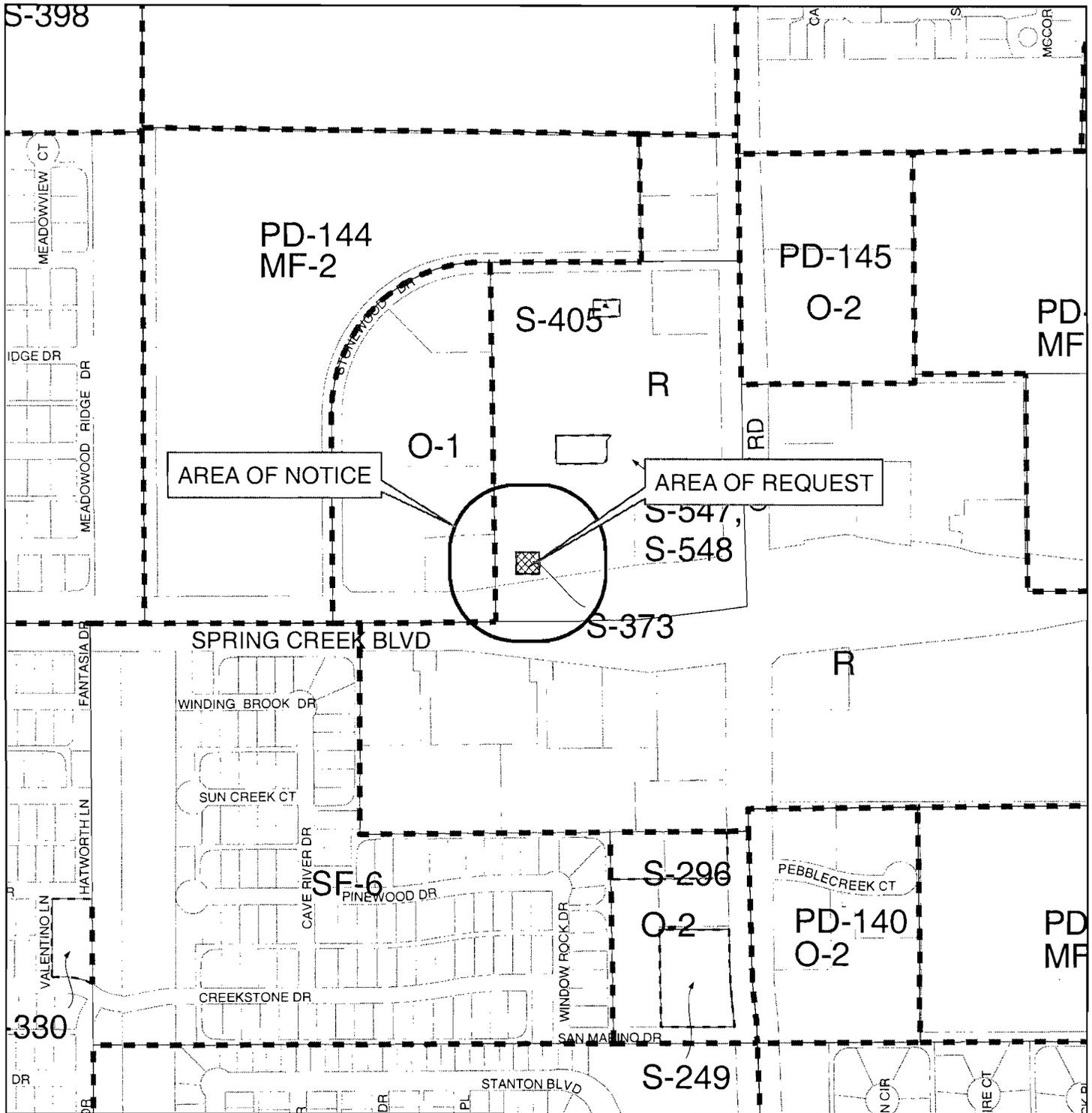
This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #349 for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for a Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

Mexi-Go restaurant operates with a Mixed Beverage Permit from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded, since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

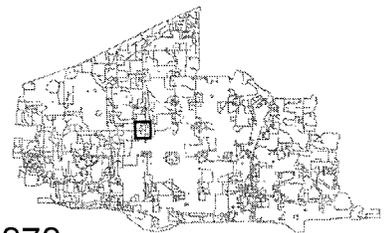
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2008-03

Existing Zoning: RETAIL w/SPECIFIC USE PERMIT #373



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 8D

Public Hearing: Zoning Case 2008-04

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #392 for Private Club on one lot on 0.7± acre located at the northwest corner of Park Boulevard and Ohio Drive. Zoned Retail.

REMARKS:

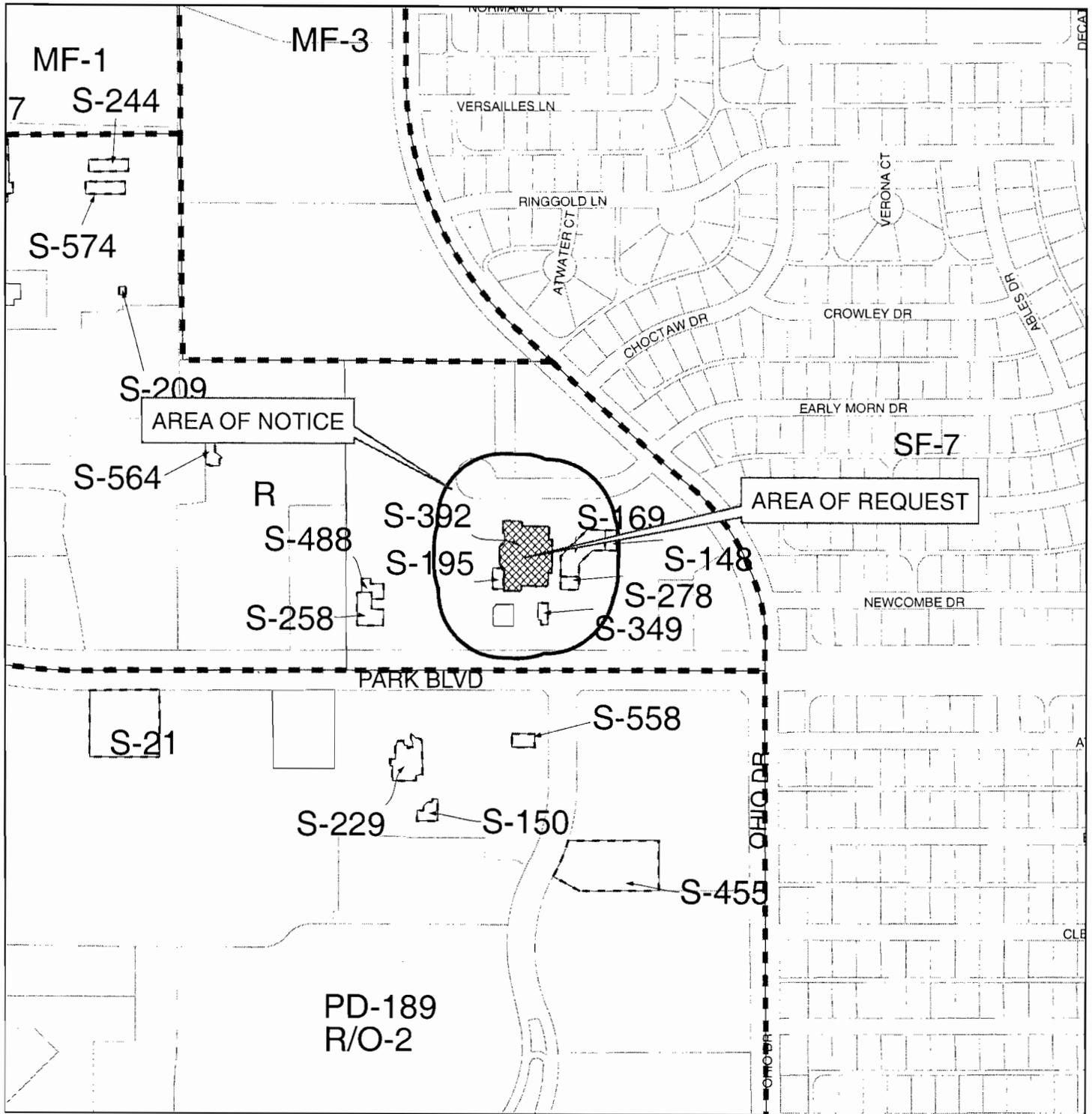
This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #349 for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for a Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

Studio Movie Grill operates with a Mixed Beverage Permit from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded, since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received a response from the property owner as to whether or not they concur with the removal of the SUP.

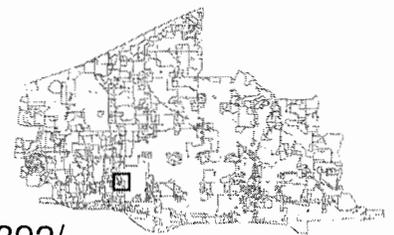
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2008-04

Existing Zoning: RETAIL w/SPECIFIC USE PERMIT #392/
PRESTON ROAD OVERLAY DISTRICT



○ 200' Notification Buffer

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 8E

Public Hearing: Zoning Case 2008-05

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #397 for Private Club on one lot on 0.2± acre located on the west side of Dallas North Tollway, 1,340± feet north of Parker Road. Zoned Regional Commercial.

REMARKS:

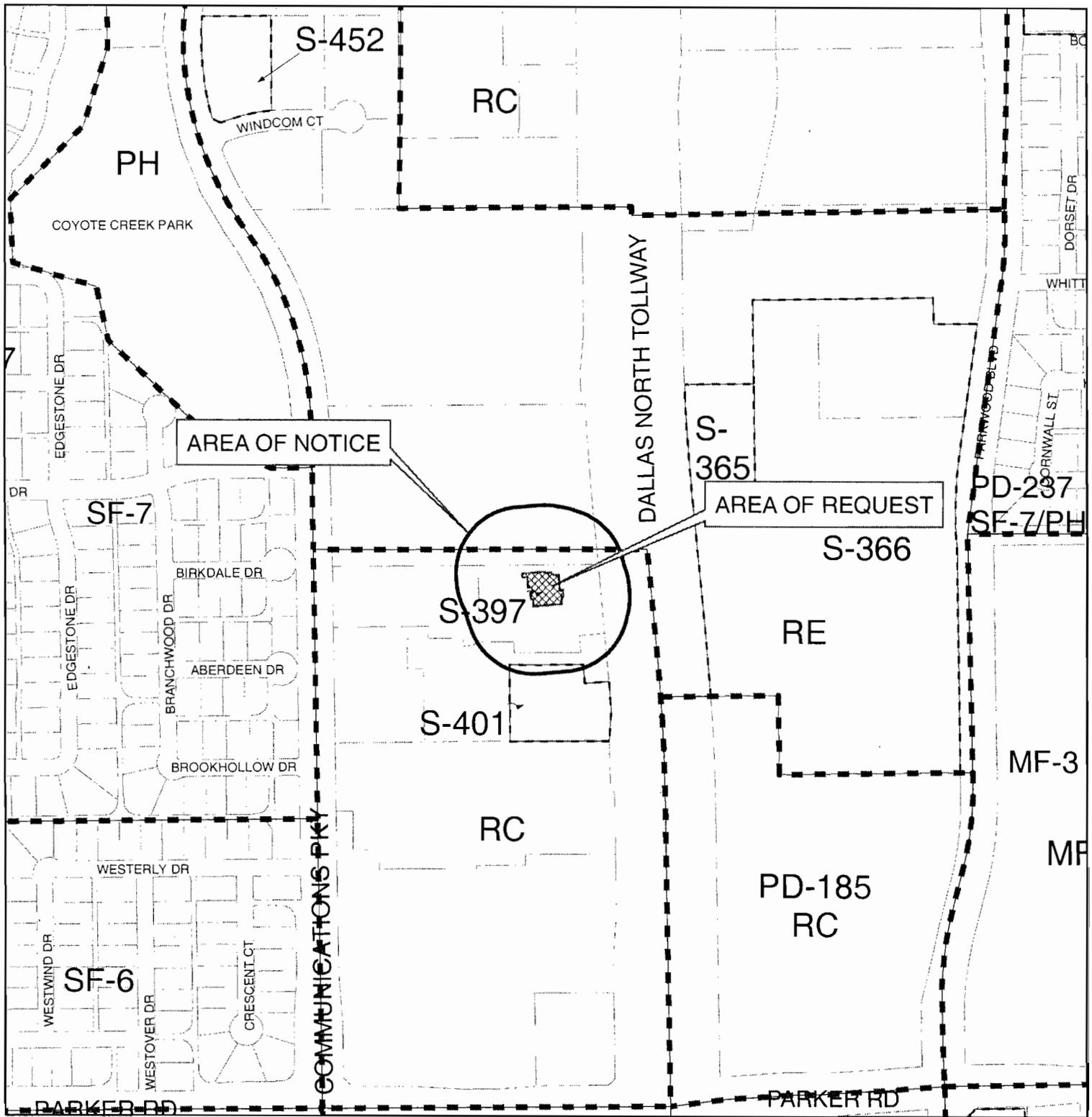
This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #397 for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for a Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

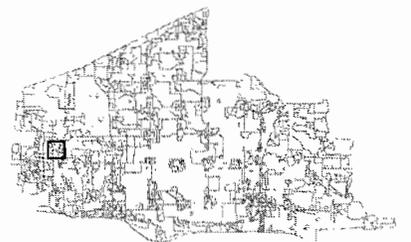
The Plano Tavern restaurant obtained a Mixed Beverage Permit directly from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received any responses from the property owner as to whether or not they concur with the removal of the SUP.

RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2008-05



Existing Zoning: REGIONAL COMMERCIAL w/SPECIFIC USE PERMIT #397/
 DALLAS NORTH TOLLWAY OVERLAY DISTRICT ○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 8F

Public Hearing: Zoning Case 2008-06

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #401 for Private Club on one lot on 1.5± acres located on the west side of Dallas North Tollway, 1,200± feet north of Parker Road. Zoned Regional Commercial.

REMARKS:

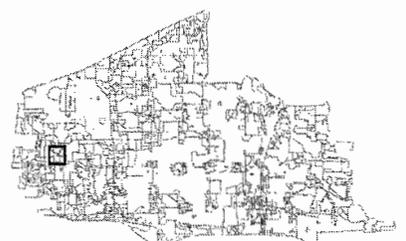
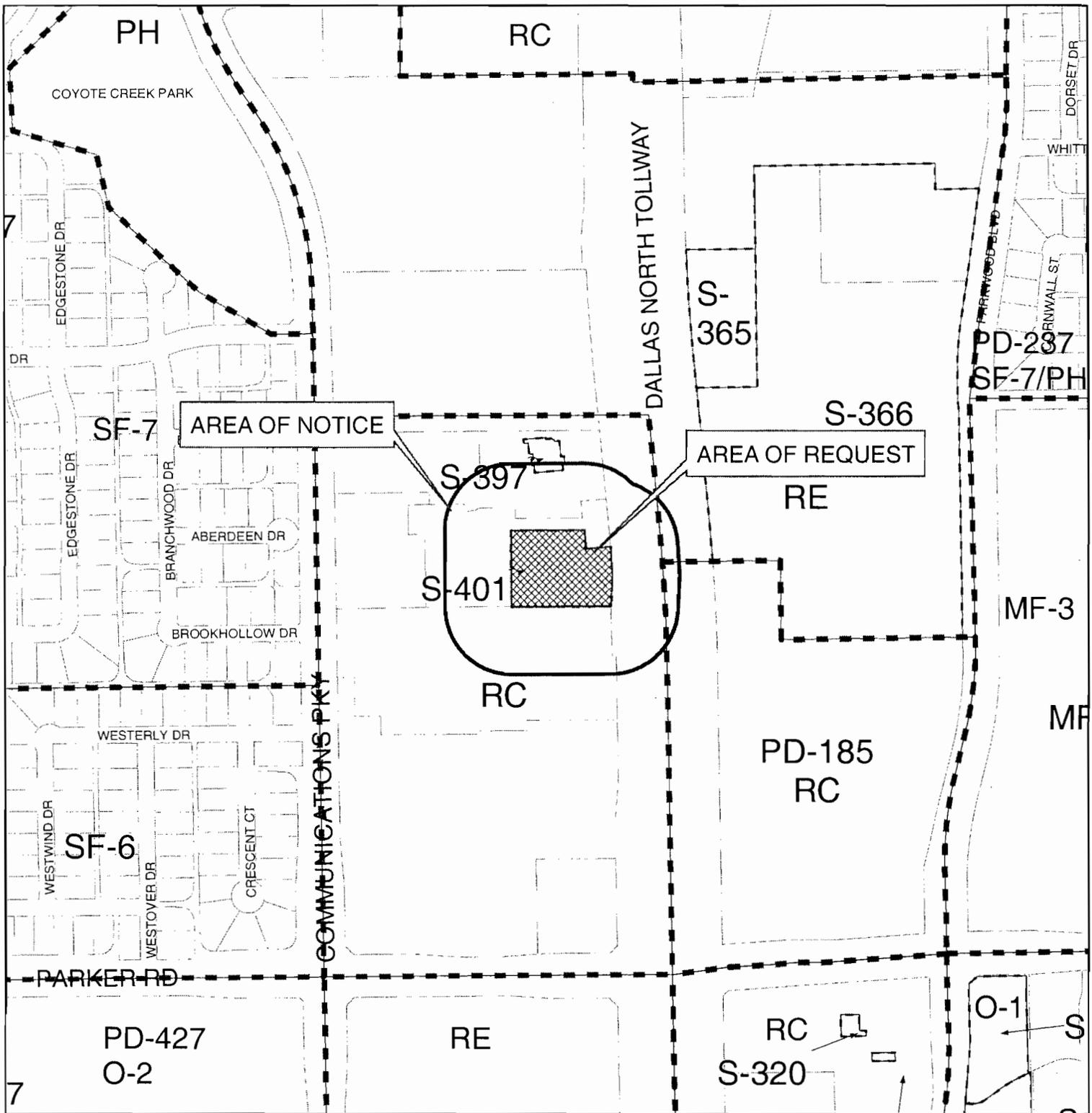
This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #401 for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for a Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

Abuelo's restaurant obtained a Mixed Beverage Permit directly from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received any responses from the property owner as to whether or not they concur with the removal of the SUP.

RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2008-06

Existing Zoning: REGIONAL COMMERCIAL w/SPECIFIC USE PERMIT #401/
 DALLAS NORTH TOLLWAY OVERLAY DISTRICT ○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 8G

Public Hearing: Zoning Case 2008-07

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #405 for Private Club on one lot on 0.1± acre located 380± feet west of Coit Road, 750± feet north of Spring Creek Parkway. Zoned Retail.

REMARKS:

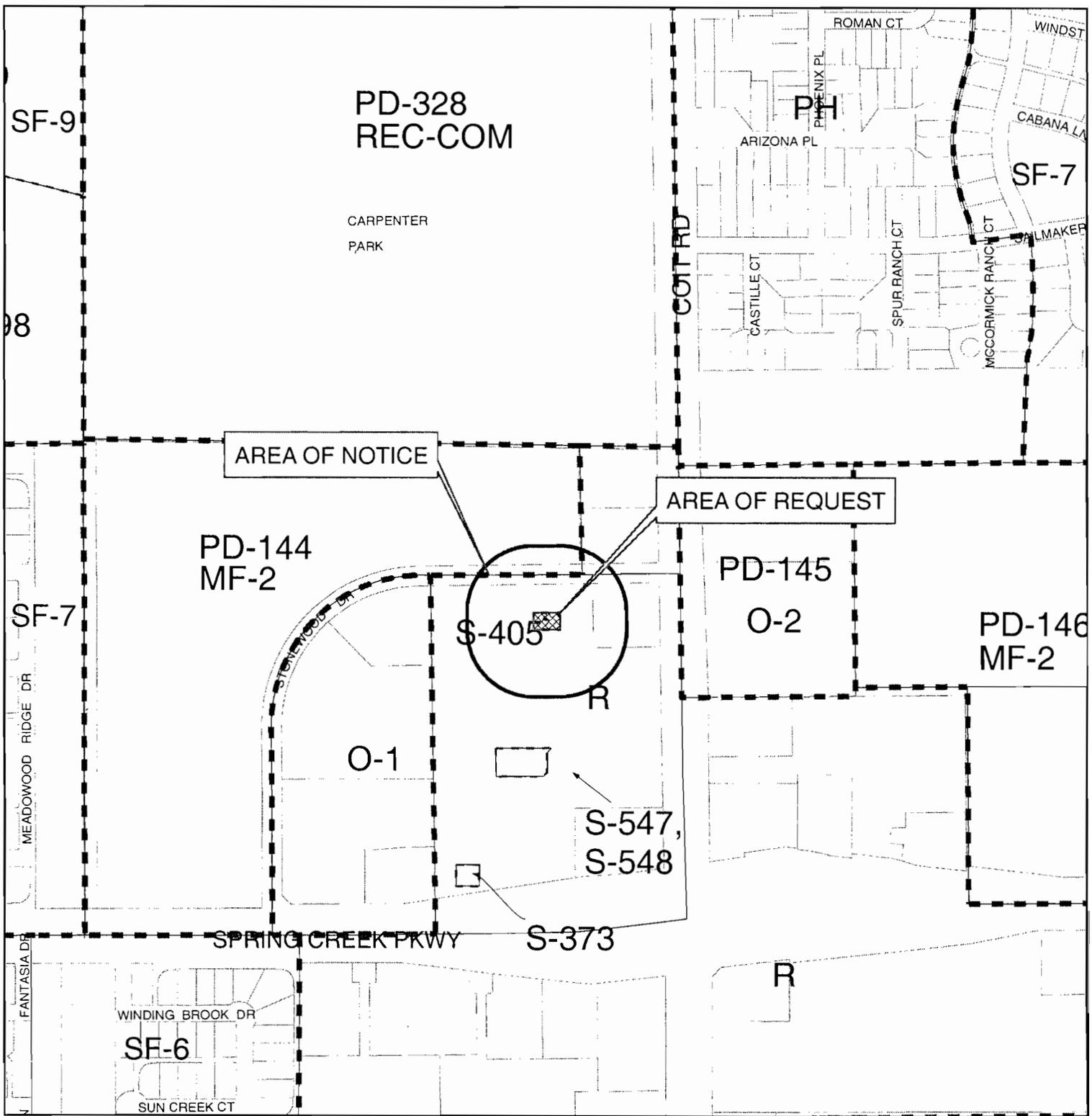
This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #405 for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

Varsity Club operates with a Mixed Beverage Permit from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded, since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received any responses from the property owner as to whether or not they concur with the removal of the SUP.

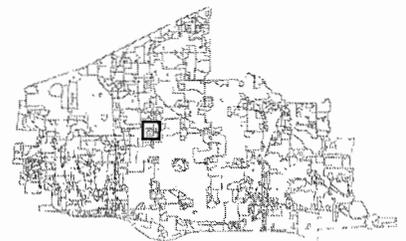
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2008-07

Existing Zoning: RETAIL w/SPECIFIC USE PERMIT #405



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 8H

Public Hearing: Zoning Case 2008-08

Applicant: City of Plano

DESCRIPTION:

Request to rescind Specific Use Permit #408 for Private Club on one lot on 0.2± acre located 50± feet west of Preston Road, 50± feet north of Lorimar Drive. Zoned Planned Development-447-Retail/Multifamily Residence-2.

REMARKS:

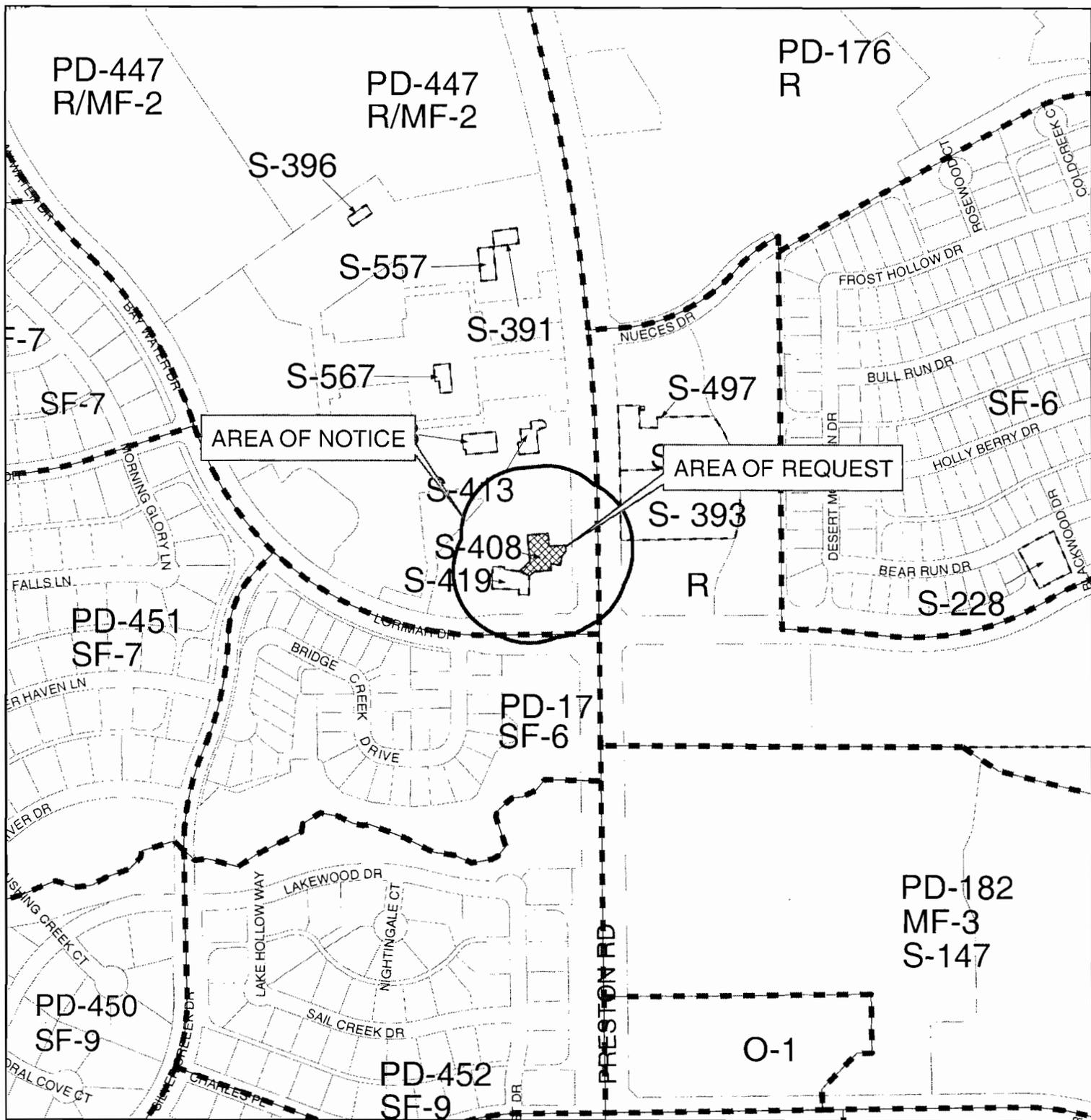
This is a city-initiated zoning request to rescind Specific Use Permit (SUP) #408 for Private Club. The purpose and intent of an SUP is to authorize and regulate a use not normally permitted in a district which could be of benefit in a particular case to the general welfare, provided adequate development standards and safeguards are established for such use during the review of an SUP application.

Prior to the May 2005 election, a restaurant in Plano desiring to serve alcoholic beverages had to obtain SUP approval for Private Club from the City of Plano and had to obtain a Private Club Permit from the Texas Alcoholic Beverage Commission (TABC). The election gave restaurants another option to serve alcoholic beverages by acquiring a Mixed Beverage Permit (with a Food and Beverage Certificate) directly from TABC. With the Mixed Beverage Permit, an SUP is no longer necessary.

Mi Cocina - Lakeside restaurant operates with a Mixed Beverage Permit from TABC. Therefore, for "housekeeping" purposes, staff recommends that the Private Club SUP be rescinded, since the SUP is not necessary for the restaurant to sell alcoholic beverages. Staff has not received any responses from the property owner as to whether or not they concur with the removal of the SUP.

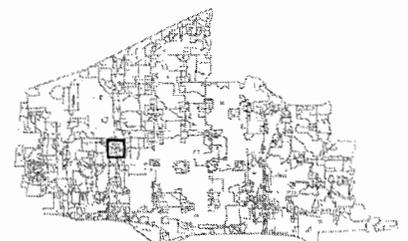
RECOMMENDATION:

Recommended for approval as submitted.



Zoning Case #: 2008-08

Existing Zoning: PLANNED DEVELOPMENT-447-RETAIL/
MULTIFAMILY RESIDENCE-2 w/SPECIFIC USE PERMIT #408



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 9

Public Hearing: Zoning Case 2008-09

Applicant: H. H. P. L. Limited

DESCRIPTION:

Request to rezone 5.6± acres located on the north side of Tradition Trail, 470± feet east of Ohio Drive **from** Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office **to** Planned Development-426-Retail/General Office. Zoned Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office.

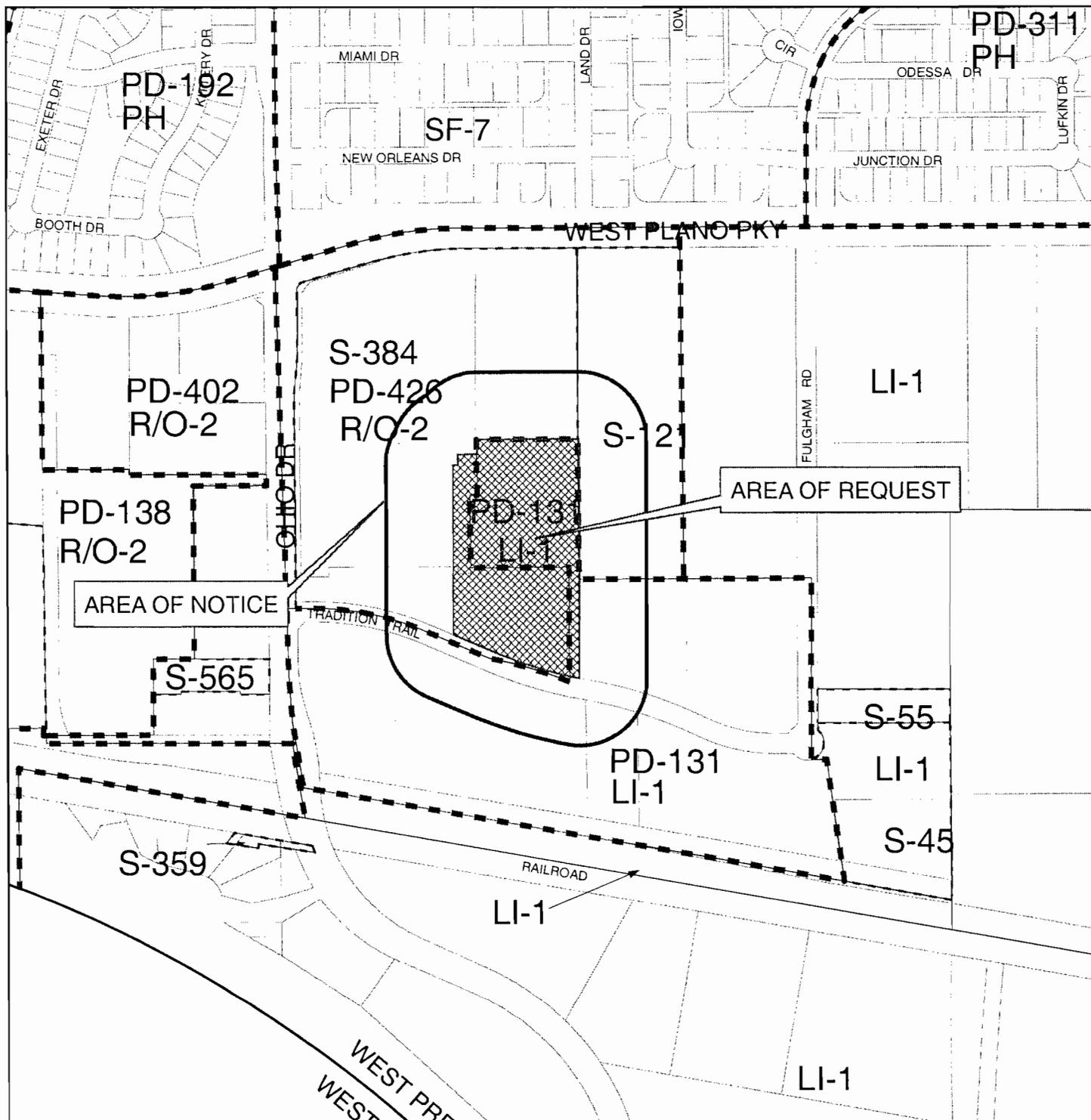
REMARKS:

The Planned Development-131-Light Industrial-1 portion of this request was rezoned to its current zoning in February 12, 2007. The Zoning Ordinance stipulates that zoning changes or amendments may not be made or considered for a period of two years after the date of a prior zoning change or amendment for a particular property, unless there are substantive reasons to waive the waiting period. Through no fault of the applicant, staff erred in not detecting that the request does not comply with the two-year waiting period provision of the Zoning Ordinance and is requesting that this item be tabled to the March 3, 2007, Planning & Zoning Commission meeting.

An applicant may request that the Planning & Zoning Commission waive the two-year waiting period. The applicant has requested such per Agenda Item 18.

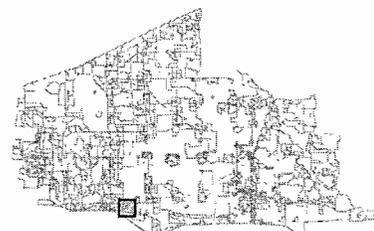
RECOMMENDATION:

Recommended that this item be tabled to the March 3, 2008, Planning & Zoning Commission meeting.



Zoning Case #: 2008-09

Existing Zoning: PLANNED DEVELOPMENT-426-RETAIL/
 GENERAL OFFICE w/SPECIFIC USE PERMIT #384 &
 PLANNED DEVELOPMENT-131-LIGHT INDUSTRIAL-1/
 190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 10

Public Hearing - Replat: Children's Medical Center Legacy Campus, Block A, Lot 1

Applicant: Children's Medical Center

DESCRIPTION:

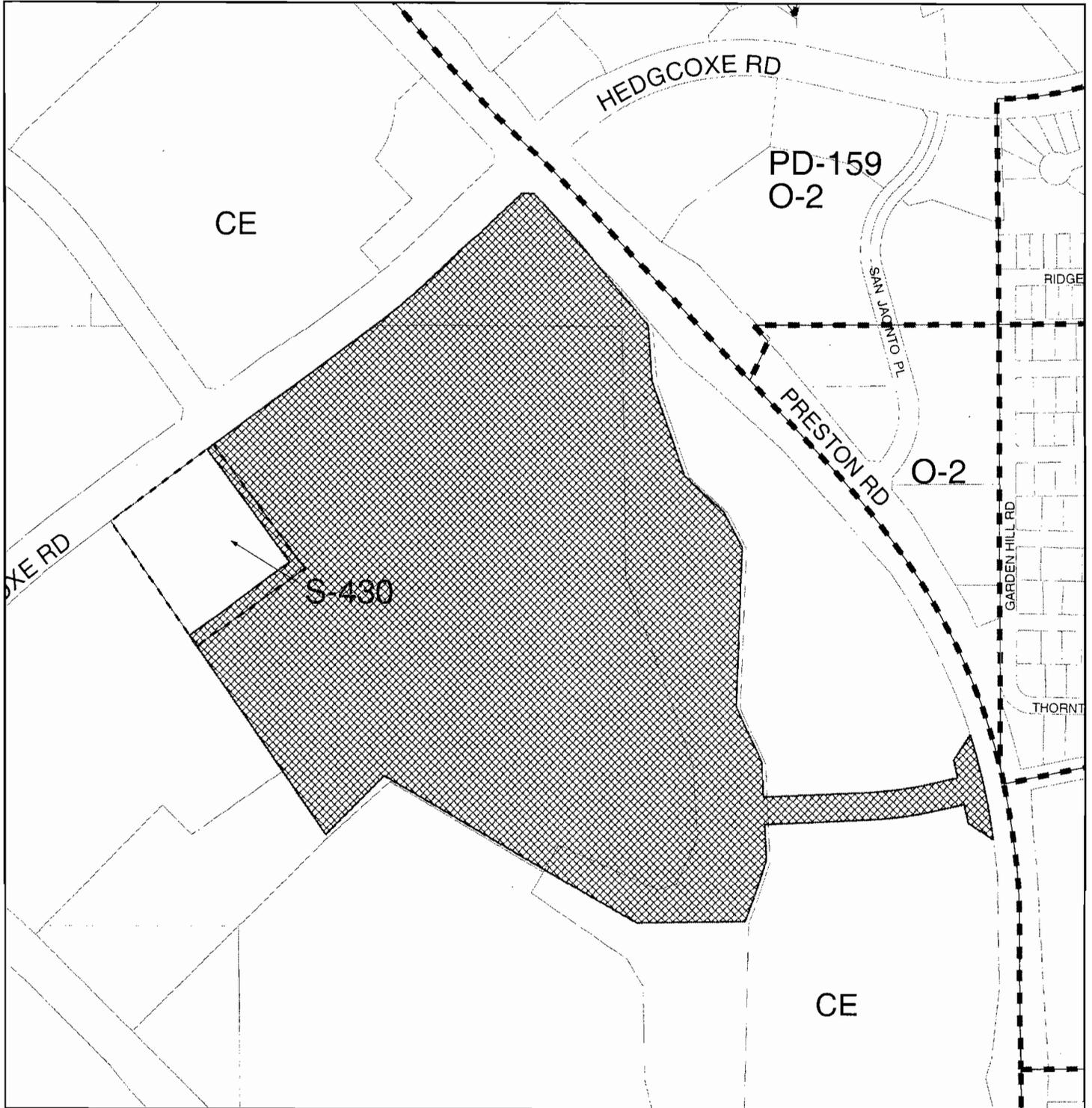
Hospital and medical offices on one lot on 56.1± acres located at the southwest corner of Preston Road and Hedgcoxe Road. Zoned Commercial Employment. Neighborhood #8.

REMARKS:

The purpose of this replat is to replat a portion of two lots into one lot, change the addition name, and dedicate easements necessary for development.

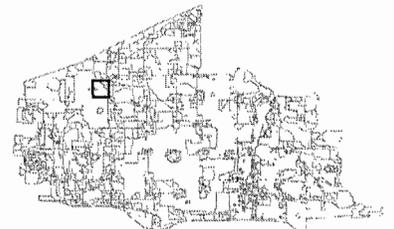
RECOMMENDATION:

Recommended for approval as submitted.



Item Submitted: REPLAT

Title: CHILDREN'S MEDICAL CENTER
LEGACY CAMPUS
BLOCK A, LOT 1



Zoning: COMMERCIAL EMPLOYMENT/
PRESTON ROAD OVERLAY DISTRICT

○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 11

Public Hearing - Preliminary Replat: Hinckley Addition, Block A, Lots 1R & 3

Applicant: The Church of Jesus Christ of Latter-Day Saints

DESCRIPTION:

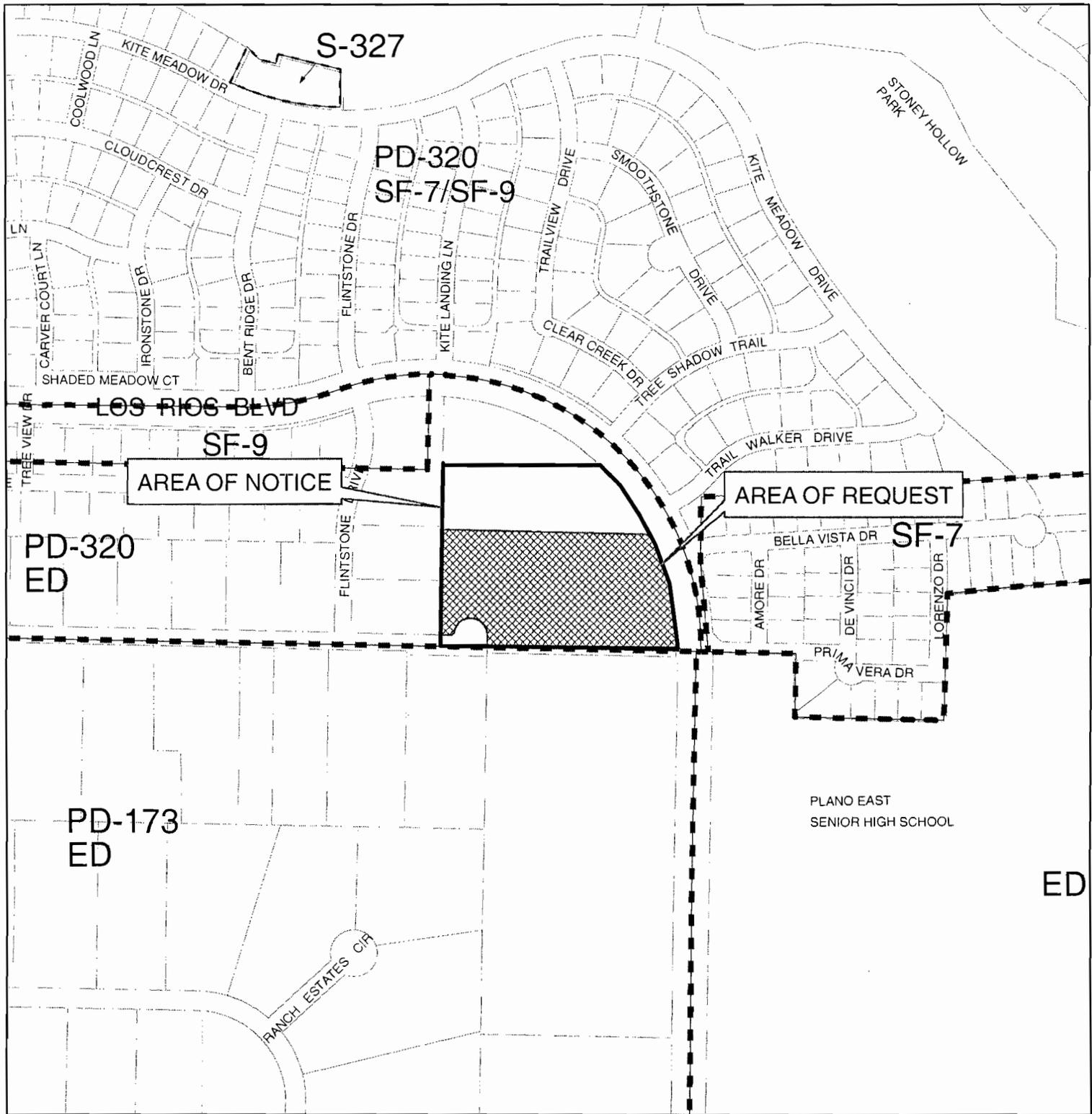
Church on one lot and vacant lot on 5.9± acres located on the west side of Los Rios Boulevard, 80± feet south of Trail Walker Drive and generally on the north side of Ridgetop Lane. Zoned Planned Development-320-Estate Development. Neighborhood #50.

REMARKS:

The applicant has requested that this preliminary replat be withdrawn to allow additional time to work out details of the request. The plat will be resubmitted at a later date for consideration.

RECOMMENDATION:

Accept the applicant's request to withdraw.



Item Submitted: PRELIMINARY REPLAT

Title: HINCKLEY ADDITION
BLOCK A, LOTS 1R & 3

Zoning: PLANNED DEVELOPMENT-320-ESTATE DEVELOPMENT

○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 12

Public Hearing - Replat: Pointe West Addition, Block A, Lots 3R-9R, 11R, 19R, 20R, 22R-28R, Block B, Lots 1R-4R & Block C, Lots 6R-10R

Applicant: Plano Pointe West, L.P.

DESCRIPTION:

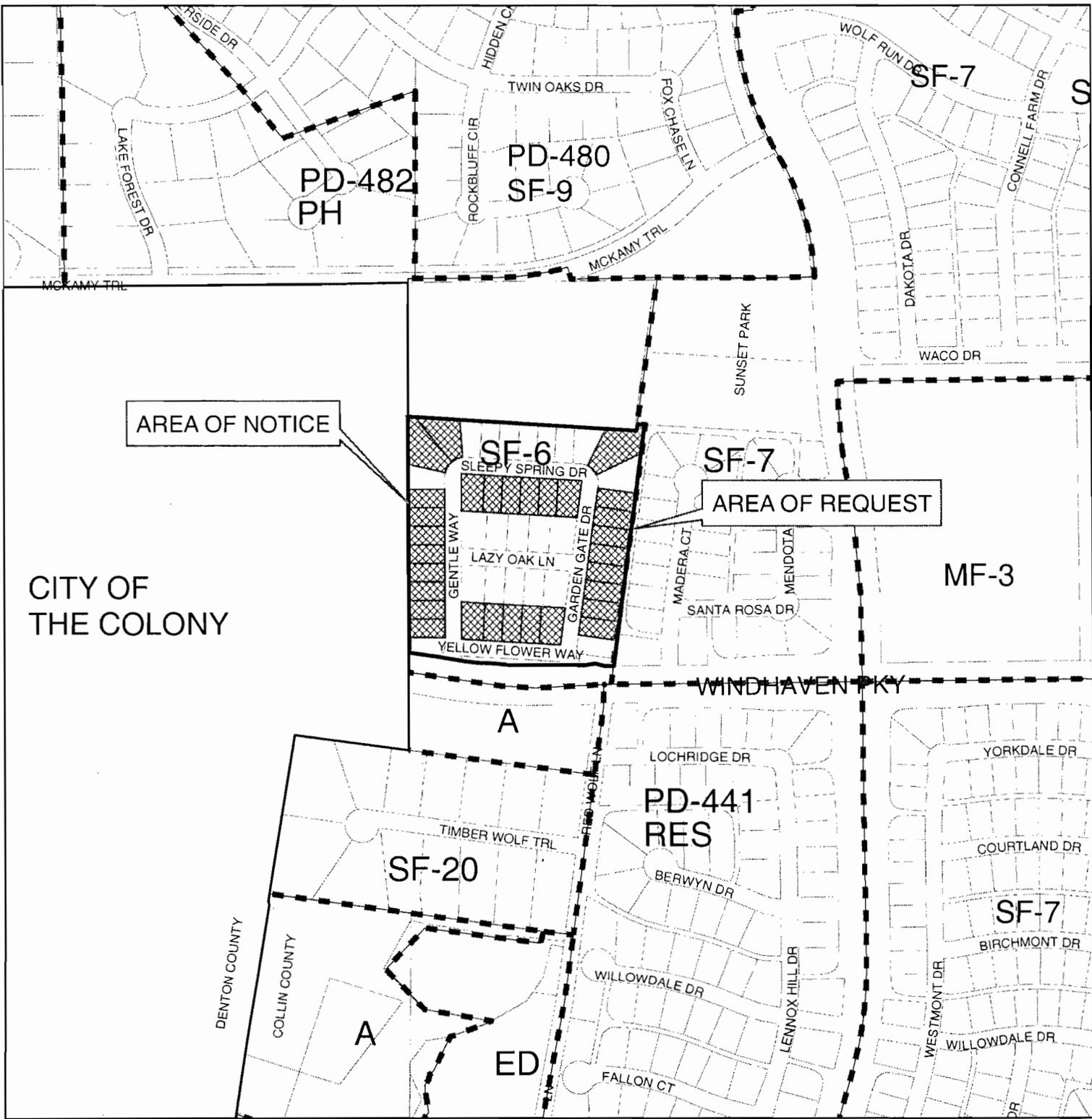
32 Single-Family Residence-6 lots on 4.5± acres located at the northwest corner of Windhaven Parkway and Garden Gate Drive. Zoned Single-Family Residence-6. Neighborhood #26.

REMARKS:

The purpose of this replat is to widen existing lots, reducing the total number of lots in the development.

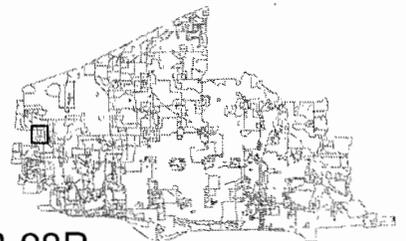
RECOMMENDATION:

Recommended for approval as submitted.



Item Submitted: REPLAT

Title: POINTE WEST ADDITION
 BLOCK A, LOTS 3R-9R, 11R, 19R, 20R, 22R-28R,
 BLOCK B, LOTS 1R-4R, & BLOCK C, LOTS 6R-10R



○ 200' Notification Buffer



Zoning: SINGLE-FAMILY RESIDENCE-6

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 13

Public Hearing - Replat: Regency Park Addition, Block A, Lots 3R-9R, Block B, Lots 2R-7R, 10R-15R, Block C, Lots 1R-5R, & Block D, Lots 3R, 4R, 10R-16R

Applicant: Regency Park, L.P.

DESCRIPTION:

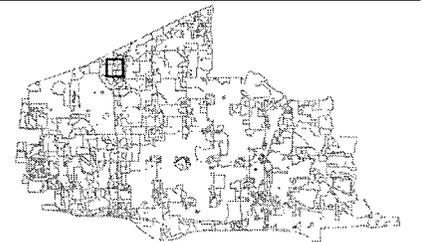
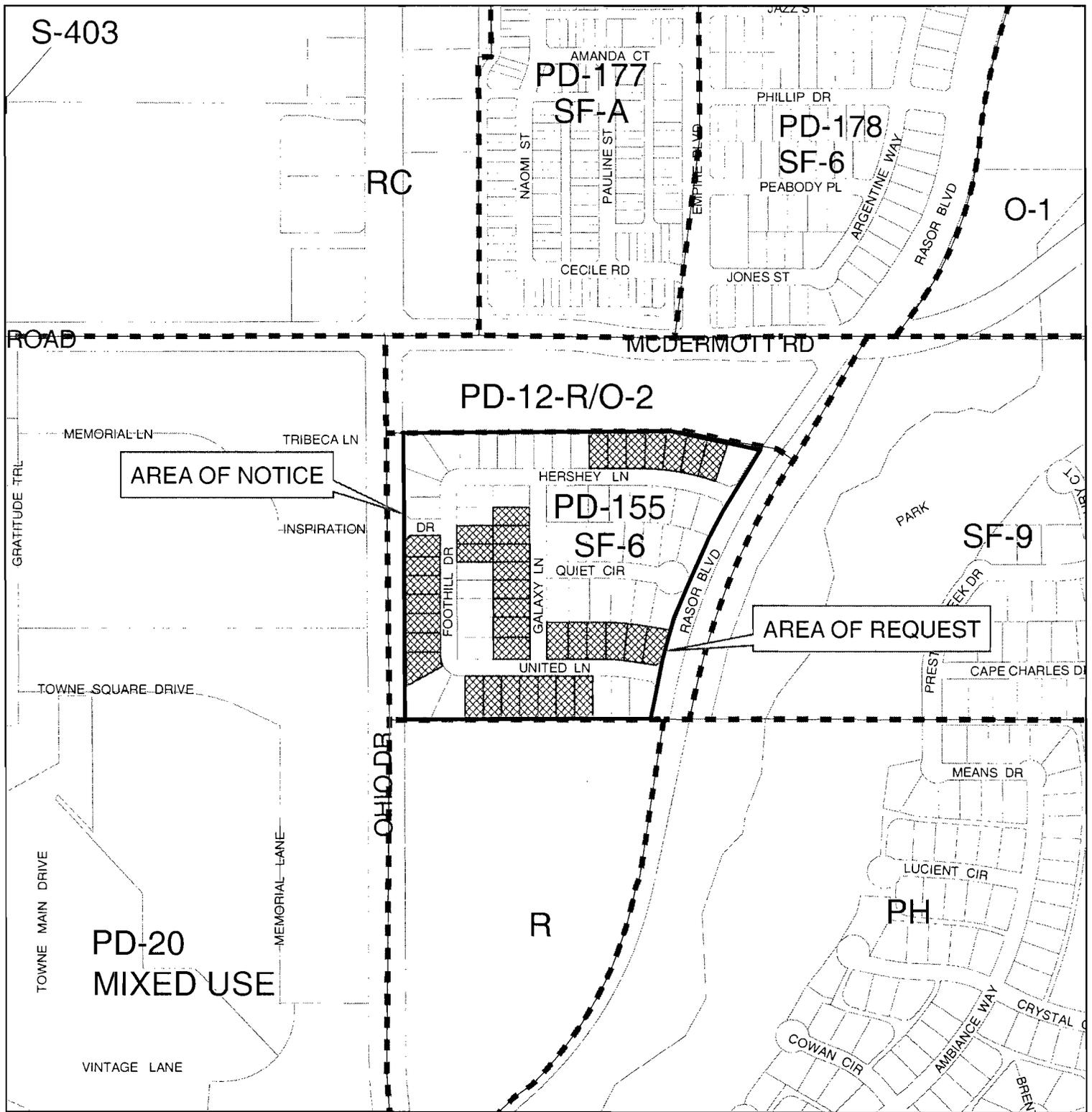
41 Single-Family Residence-6 lots on 5.8± acres located generally on the east side of Ohio Drive, 220± feet south of McDermott Road. Zoned Planned Development-155-Single-Family Residence-6. Neighborhood #4.

REMARKS:

The purpose of this replat is to widen existing lots, reducing the total number of lots in the development.

RECOMMENDATION:

Recommended for approval as submitted.



Item Submitted: REPLAT

Title: REGENCY PARK ADDITION
 BLOCK A, LOTS 3R-9R, BLOCK B, LOTS 2R-7R & 10R-15R,
 BLOCK C, LOTS 1R-5R, & BLOCK D, LOTS 3R, 4R, & 10R-16R

○ 200' Notification Buffer



Zoning: PLANNED DEVELOPMENT-155-SINGLE-FAMILY RESIDENCE-6



- Legend**
- 1 Iron Rod Set
 - 2 Iron Rod Found
 - 3 Concrete Monument Found
 - 4 Building Line Setback
 - 5 Right Of Way
 - 6 Drainage Easement
 - 7 Easement
 - 8 Easement
 - 9 Easement
 - 10 Easement
 - 11 Easement
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NOTES:

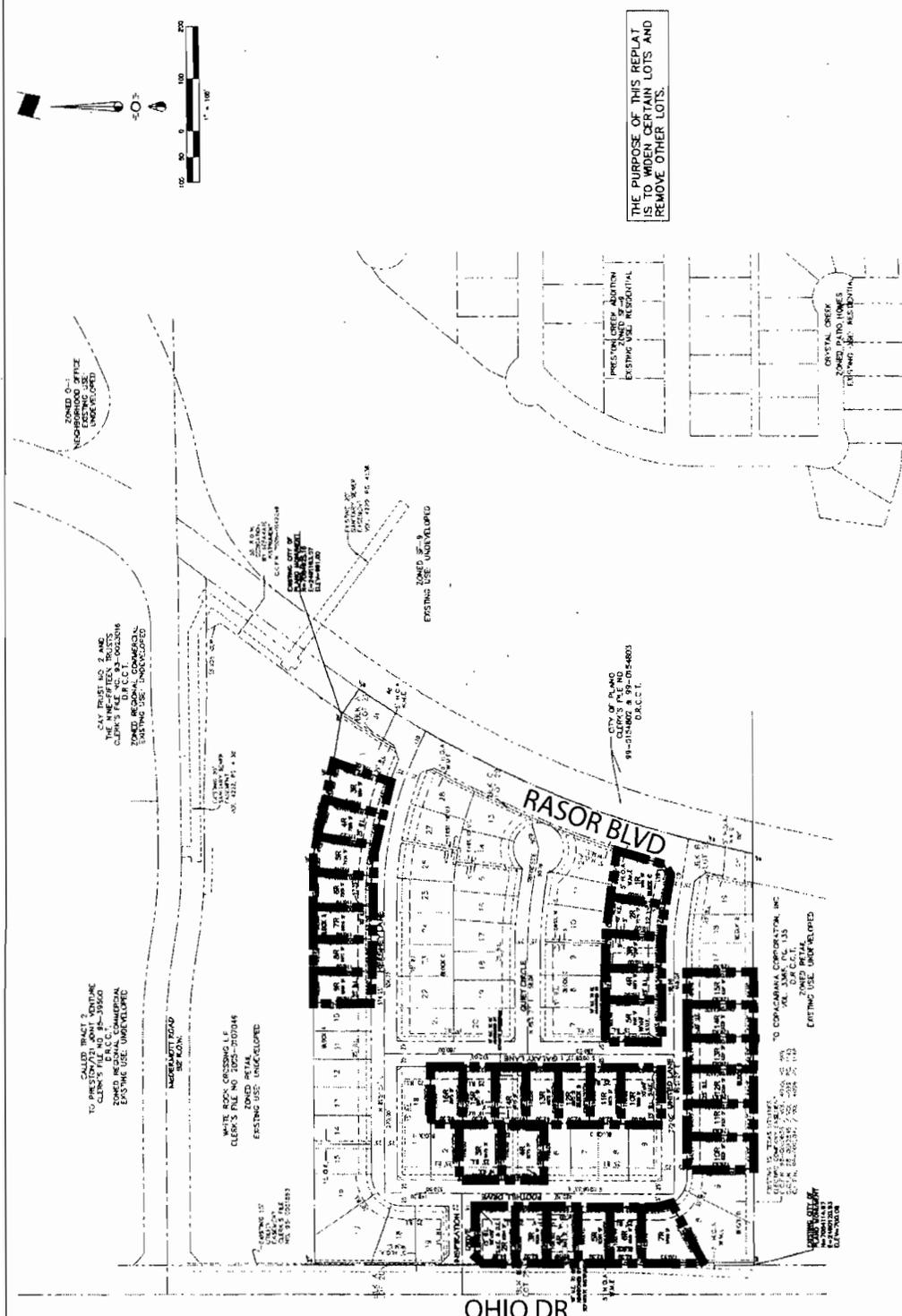
1. Setting a portion of this edition by meter and bands in a variation of City Standards and subject to five and withdrawing of utility and building certificates.
2. 1" Iron pins shall be set at block corners, P.C., P.T., and other points. Iron pins shall be set at 100' intervals.

33 LOTS TO PD-5F-8 STANDARDS

REPLAT

LOTS 3R-9R, BLOCK A
 LOTS 2R-7R, BLOCK B
 LOTS 1R-5R, BLOCK C
 LOTS 3R-4R, BLOCK D
 AND
 LOTS 10R-16R, BLOCK D
 REGENCY PARK
 5.803 ACRES OUT OF THE
 5.803 ACRES OF THE
 COLLIN COUNTY PLATS SURVEY NO. 7
 ABSTRACT NO. 15
 CITY OF PLANO
 COLLIN COUNTY, TEXAS

Created by:
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 Fax: (972) 382-1112
 E-mail: james@jameseng.com



THE PURPOSE OF THIS REPLAT IS TO WHEN CERTAIN LOTS AND REMOVE OTHER LOTS.

LOT LINE TABLE

LINE	LENGTH	BEARING
L23	21.16	S45°52'28"E

LOT CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD	BEARING	DELTA
C1	20.11	58.57	11.87	28.82	S173°01'1	28.20
C2	48.33	223.00	24.18	49.32	S83°42'08"	51.74
C3	51.47	833.00	20.82	41.22	S82°13'55"	25.11
C4	24.01	250.00	21.01	40.52	S55°25'28"	23.68
C5	80.24	2000.00	30.40	80.72	S43°02'11"	43.82
C6	69.18	2500.00	30.00	69.74	S71°53'04"	27.50
C7	85.97	2060.30	47.86	84.80	S103°02'27"	43.00

ZONED REGIONAL COMMERCIAL EXISTING USE: RETAIL

WHITE ROCK CROSSING L.P. CLERK'S FILE NO 2025-200446 ZONED RETAIL EXISTING USE: UNDEVELOPED

LOT 107 TO 110 CLERK'S FILE NO 99-054803 SUBJECT

VOL. 1048, PG. 308 S.E.C. 17.02 BANNED USE ZONED EXISTING USE: UNDEVELOPED

RASOR BLVD

OHIO DR

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 14

Public Hearing - Preliminary Replat & Revised Site Plan: Church of Christ on
McDermott Road Addition, Block 1, Lot 1R

Applicant: Church of Christ on McDermott Road

DESCRIPTION:

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

REMARKS:

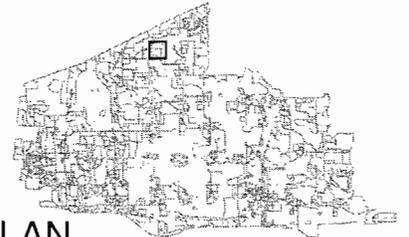
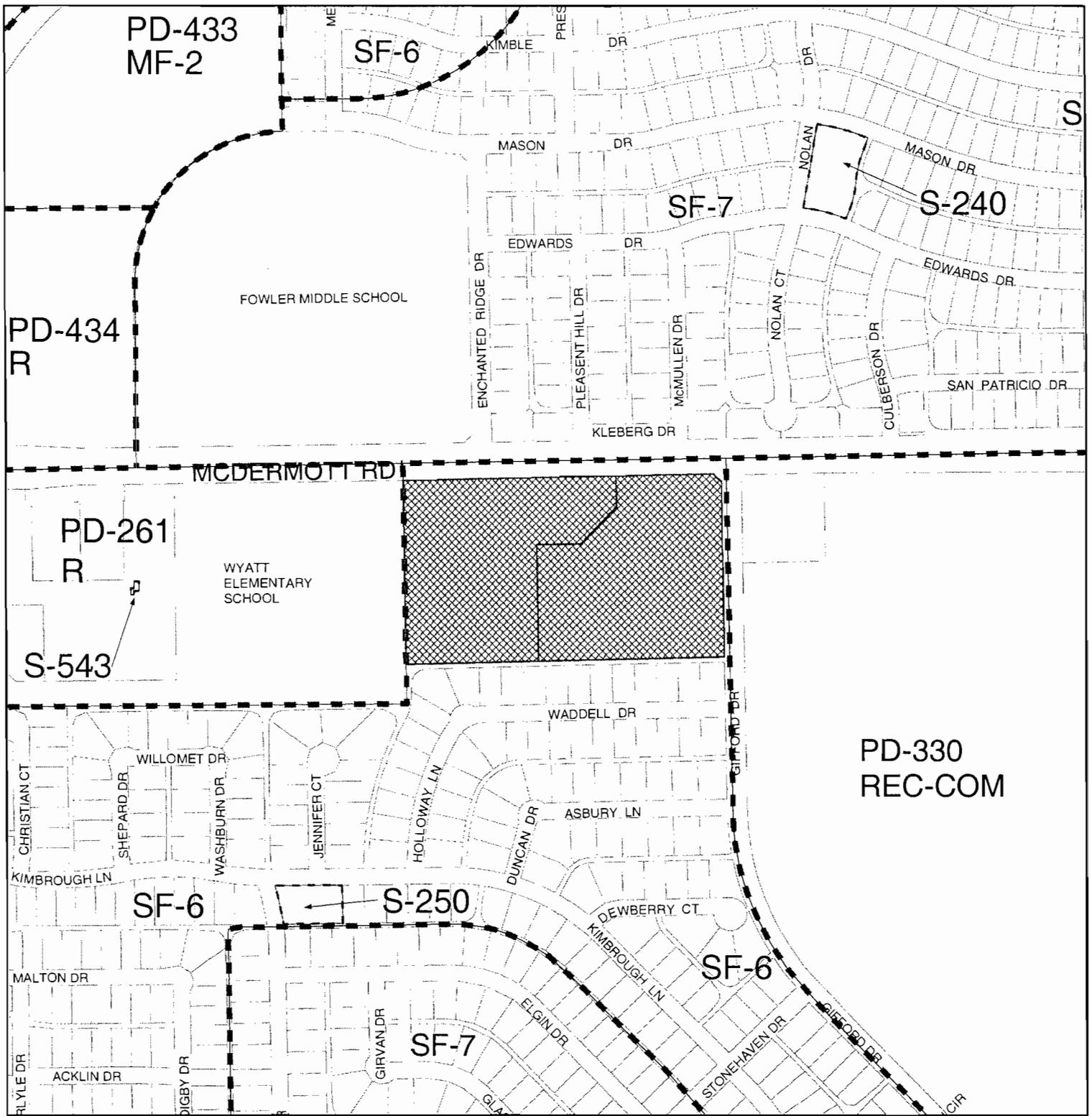
The purpose of the preliminary replat is to combine two lots into one lot and add fire lane and water easements

The purpose for the revised site plan is to add a new building and add more parking spaces.

RECOMMENDATIONS:

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

Revised Site Plan: Recommended for approval as submitted.



Item Submitted: PRELIMINARY REPLAT & REVISED SITE PLAN

Title:

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

○ 200' Notification Buffer



Zoning:

SINGLE-FAMILY RESIDENCE-6

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 15

Public Hearing - Replat: Parker Square Addition, Block 2, Lot 3R

Applicant: Halle Properties, LLC

DESCRIPTION:

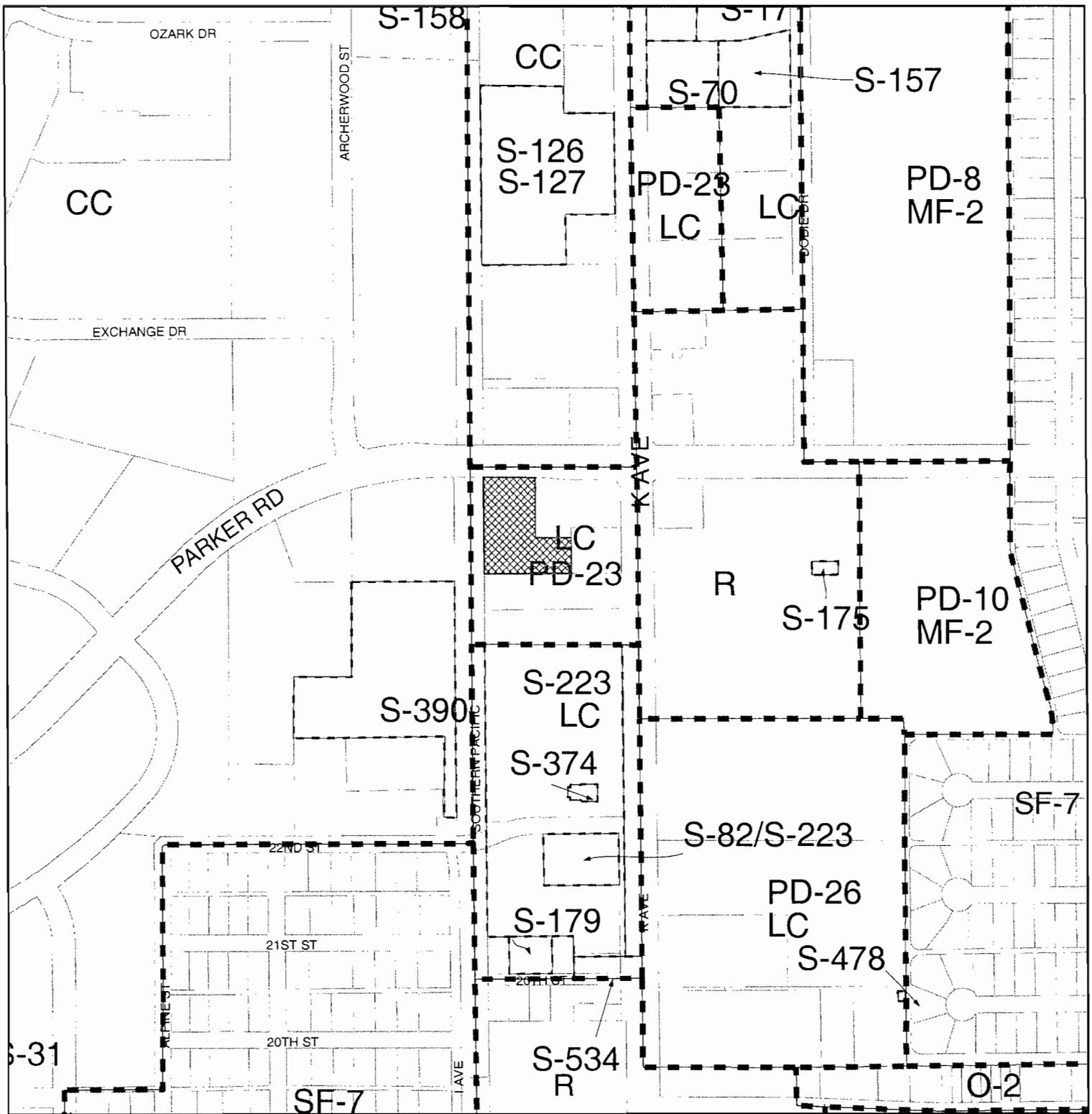
Tire dealer on one lot on 1.3± acres located on the south side of Park Boulevard, 150± feet west of K Avenue. Zoned Planned Development-23-Light Commercial. Neighborhood #59.

REMARKS:

The purpose of this replat is to reconfigure easements as needed for the new development.

RECOMMENDATIONS:

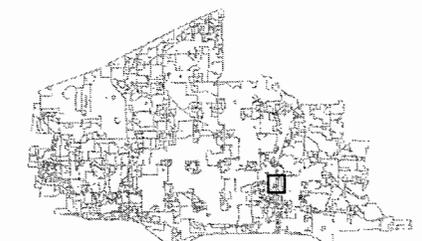
Recommended for approval as submitted.



Item Submitted: REPLAT

Title: PARKER SQUARE ADDITION
BLOCK 2, LOT 3R

Zoning: PLANNED DEVELOPMENT-23-LIGHT COMMERCIAL



○ 200' Notification Buffer



SURVEYORS CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT STATEMENT OF THE SURVEY MADE BY US OR UNDER OUR CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYING ACT, CHAPTER 161, ACTS 1989, AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF TEXAS, AS THEY MAY BE AMENDED FROM TIME TO TIME.

DATE OF THIS SURVEY: _____

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF FARMERSBURG

APPROVED BY: _____
SURVEYOR



CERTIFICATE OF APPROVAL

APPROVED BY: _____
CITY OF FARMERSBURG

COMMISSIONER OF TRANSPORTATION: _____
COUNTY CLERK: _____

PLANNING AND ZONING DEPARTMENT: _____

APPROVED BY: _____
CITY OF FARMERSBURG

OWNER'S CERTIFICATION

I, the undersigned, being the owner of the above described property, hereby certify that the foregoing is a true and correct statement of the survey made by me or under my close personal supervision and in accordance with the provisions of the Surveying Act, Chapter 161, Acts 1989, and the Rules and Regulations of the Board of Surveying and Mapping of the State of Texas, as they may be amended from time to time.

DATE OF THIS SURVEY: _____

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF FARMERSBURG

OWNER'S DEDICATION

I, the undersigned, being the owner of the above described property, hereby certify that the foregoing is a true and correct statement of the survey made by me or under my close personal supervision and in accordance with the provisions of the Surveying Act, Chapter 161, Acts 1989, and the Rules and Regulations of the Board of Surveying and Mapping of the State of Texas, as they may be amended from time to time.

DATE OF THIS SURVEY: _____

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF FARMERSBURG

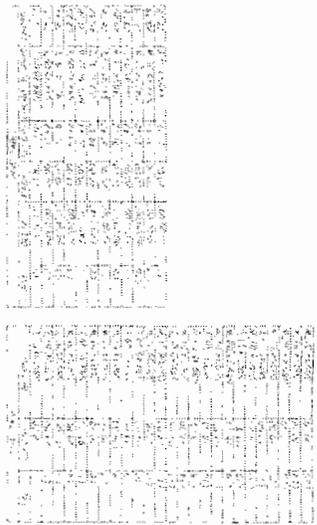
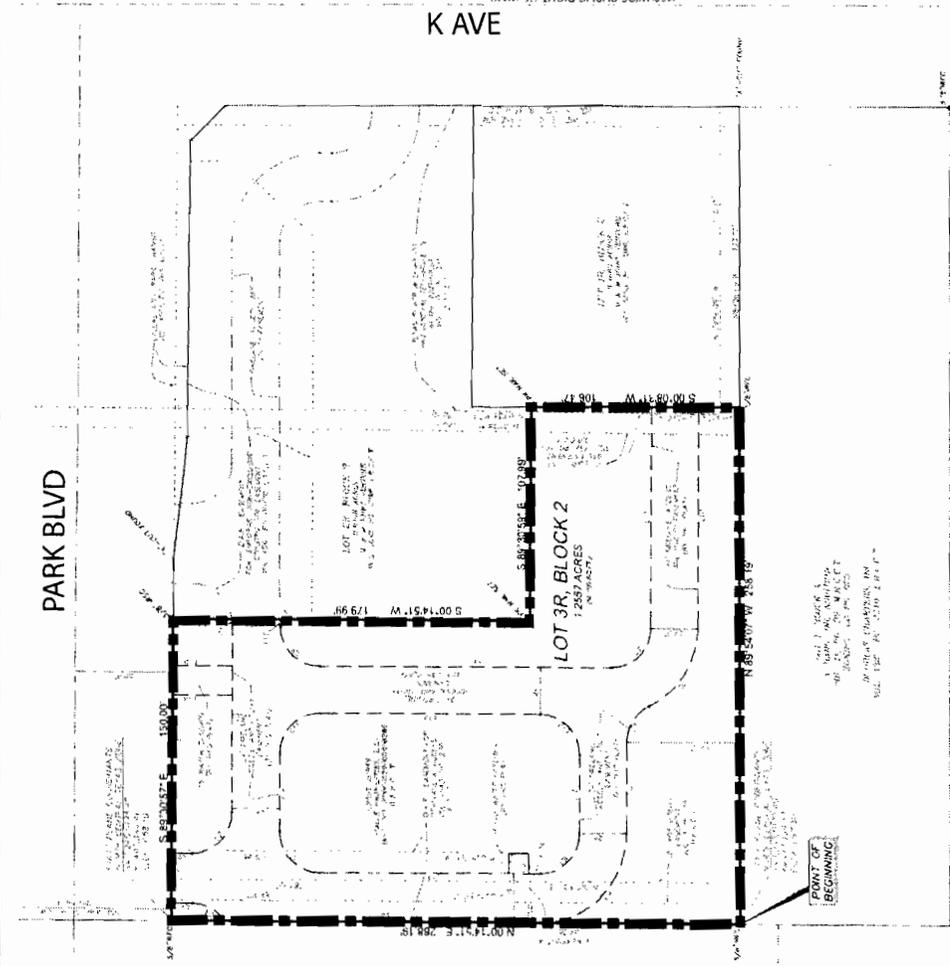
**REPORT
PARKER SQUARE ADDITION
LOT 3R, BLOCK 2**

PREPARED AT THE CITY OF FARMERSBURG, COLLIN COUNTY, TEXAS
AN ADDITION TO THE CITY OF FARMERSBURG, COLLIN COUNTY, TEXAS
BEING 2.1857 ACRES SITUATION
AT FARMERSBERRY SURVEY, ABSTRACT NO. 80
CITY OF FARMERSBURG, COLLIN COUNTY, TEXAS



**Kinney-Horn
and Associates, Inc.**

1000 WEST 10TH STREET
FARMERSBURG, TEXAS 75742
PHONE: (817) 251-1111
FAX: (817) 251-1112



LEGAL

THIS IS A CORRECT COPY OF A TRUE AND CORRECT STATEMENT OF THE SURVEY MADE BY US OR UNDER OUR CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEYING ACT, CHAPTER 161, ACTS 1989, AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING OF THE STATE OF TEXAS, AS THEY MAY BE AMENDED FROM TIME TO TIME.

DATE OF THIS SURVEY: _____

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF FARMERSBURG

CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 16

Public Hearing - Replat: United National Bank Addition, Block 1, Lots 1R & 2R

Applicant: Comerica Bank

DESCRIPTION:

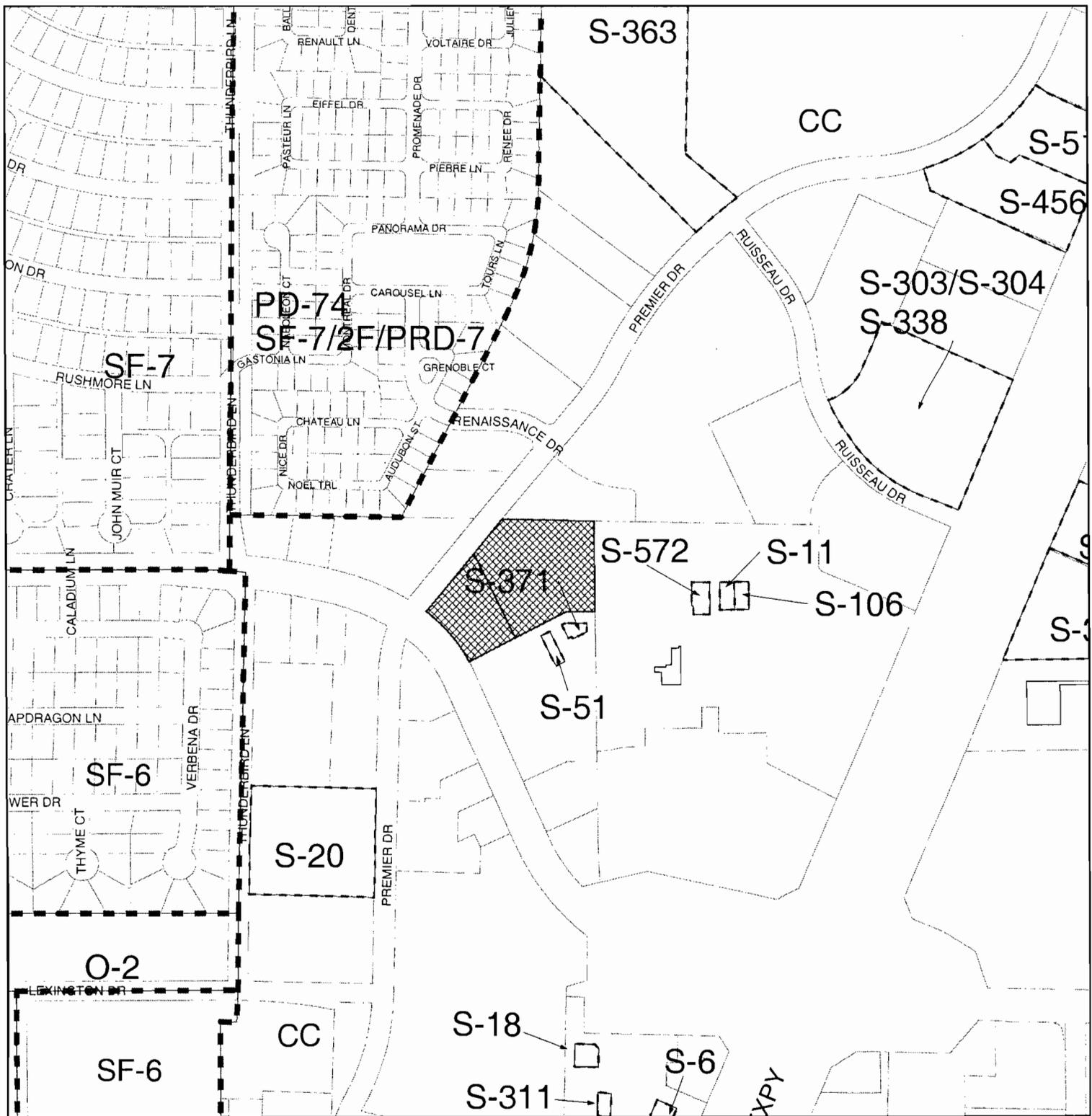
Retail on one lot on 1.9± acres located at the northeast corner of Parker Road and Premier Drive. Zoned Corridor Commercial. Neighborhood #36.

REMARKS:

The purpose of this replat is to create new lot lines and establish new fire lane and utility easements.

RECOMMENDATIONS:

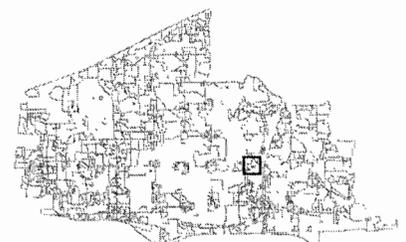
Recommended for approval as submitted.



Item Submitted: REPLAT

Title: UNITED NATIONAL BANK ADDITION
BLOCK 1, LOTS 1R & 2R

Zoning: CORRIDOR COMMERCIAL



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 17

Preliminary Site Plan: Gulf Oil Addition No. 1, Block 1, Lot 1R

Applicant: Quik Trip Corporation

DESCRIPTION:

Convenience store with gas pumps on one lot on 1.3± acres located at the southeast corner of Plano Parkway and K Avenue. Zoned Light Industrial-1. Neighborhood #68.

REMARKS:

This project is a redevelopment of a previous convenience store with gas pumps (FINA) as well as development of a vacant piece of property to the south of the formerly FINA gas station. The proposed development falls within the State Highway 190 Tollway/Plano Parkway Overlay District. The overlay district requires that electrical and/or communications utility lines be installed underground in compliance with utility service regulations as new development or redevelopment occurs.

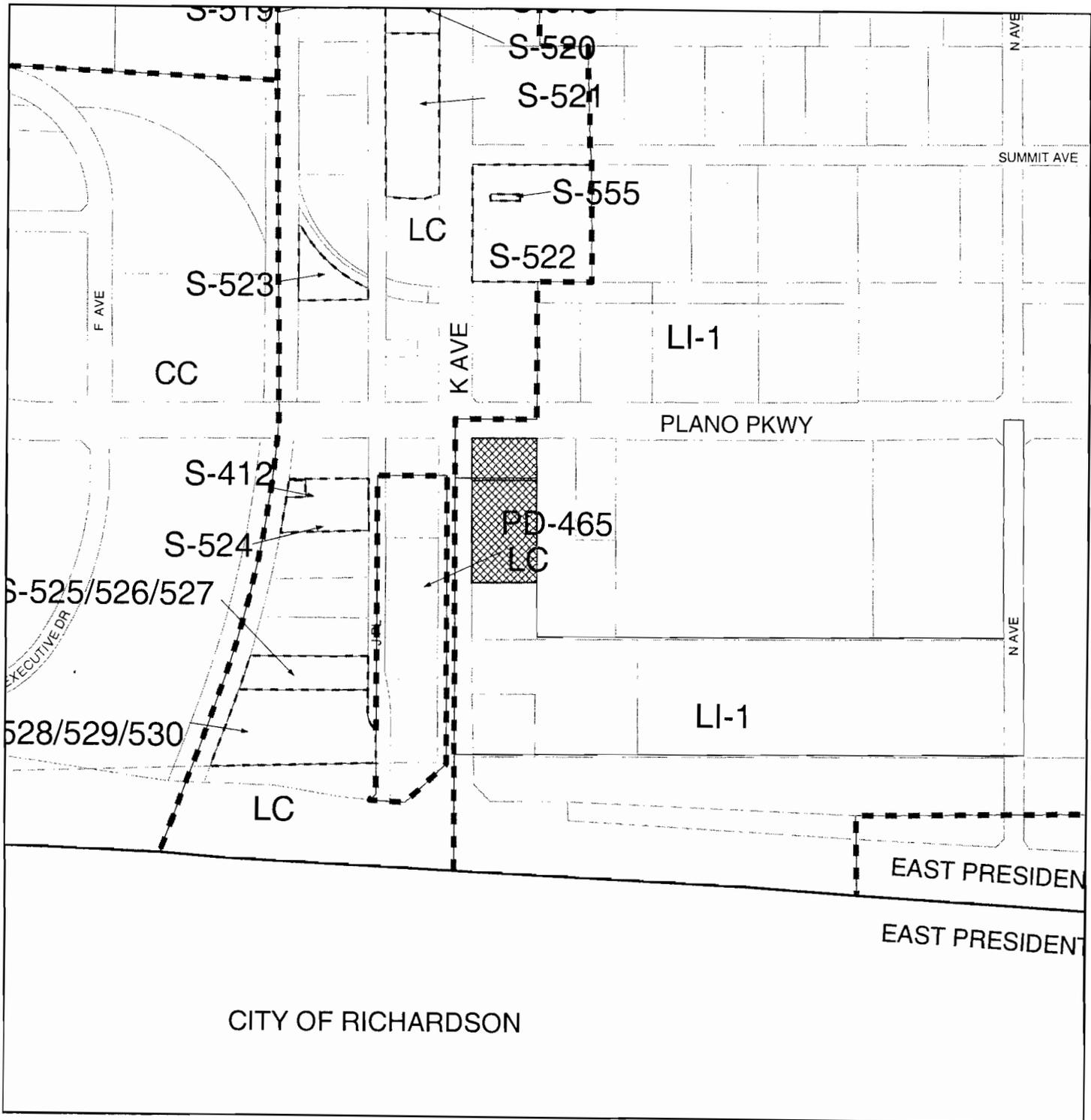
The purpose of the preliminary site plan is to show the public and private underground utilities along K Avenue. The applicant is requesting a variance to the underground utility provision of the State Highway 190 Tollway/Plano Parkway Overlay District because of the public and private underground utilities which make it physically impractical to install electric utility lines underground. The applicant is therefore seeking approval of the preliminary site plan subject to the Board of Adjustment granting a variance from the overlay requirement for utilities to be placed underground. Staff concurs with the applicant's request.

Please note also that the Zoning Ordinance Section 3.1703 subsection (4) Special District provide storm water management options for alternative placement of required landscape edge areas. The required 30-foot landscape edge may be reduced by up to 50% of the required landscape edge width to provide areas for storm water conservation and/or grass swales/buffer strips, detention ponds, bioretention areas or other structural storm water controls.

The applicant has 20-foot instead of 30-foot landscape edge along K Avenue and has chosen to provide a conservation easement as shown on the plan.

RECOMMENDATIONS:

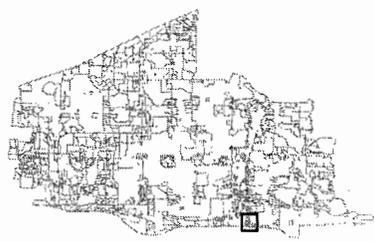
Recommended for approval subject to the Board of Adjustment granting a variance from the overlay requirement for utilities to be placed underground.



Item Submitted: PRELIMINARY SITE PLAN

Title: GULF OIL ADDITION NO. 1
BLOCK 1, LOT 1R

Zoning: LIGHT INDUSTRIAL-1



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

February 18, 2008

Agenda Item No. 18

Request to Waive the Two-Year Waiting Period: Planned Development-131-Light
Industrial-1

Applicant: H. H. P. L. Limited

DESCRIPTION:

Request to waive the two-year waiting period for consideration of a rezoning request for 5.6± acres located on the north side of Tradition Trail, 470± feet east of Ohio Drive **from** Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office **to** Planned Development-426-Retail/General Office. Zoned Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office. Neighborhood #55.

REMARKS:

The applicant is requesting a waiver of the two-year waiting period for consideration of a rezoning request. Zoning Case 2008-09 proposes to rezone a portion of Planned Development-131-Light Industrial-1 (PD-131-LI-1) to accommodate a use not permissible in this district. In pre-application meetings with staff, staff failed to inform the applicant that the PD-131-LI-1 portion of their request was rezoned by City Council on February 12, 2007.

The Zoning Ordinance stipulates that zoning changes or amendments may not be considered for a period of two years after the date of a prior zoning change or amendment for a particular property, unless there are substantive reasons to waive the waiting period. Substantive reasons for waiving the two-year period include, but are not limited to:

1. Correction of an error;
2. A change in conditions affecting the property and which were not known at the time of the two-year waiting period; and
3. A change in public plans or policies as it effects the property.

Attached is a letter from the applicant's representative requesting a waiver of the two-year waiting period for consideration of a rezoning request.

RECOMMENDATIONS:

Recommended that a waiver of the two-year waiting period be granted if the Planning & Zoning Commission finds substantive reasons for granting the request.



February 14, 2008

Mr. Tom Elgin
Development Review Manager
Planning Department
P.O. Box 860358
Plano, Texas 75086-0358

Re: Request to Waive the Two-Year Waiting Period for Zoning Case 2008-09

Dear Mr. Elgin,

On January 10, 2008, I submitted a rezoning petition to rezone 5.6 acres located on the north side of Tradition Trail, 470± feet east of Ohio Drive from Planned Development-131-Light Industrial-1 and Planned Development-426-Retail/General Office to Planned Development-426-Retail/General Office. Subsequent to my petition, you informed me that a portion of our petition area had been rezoned last February, and that a waiver to Plano's zoning ordinance is required to proceed with my rezoning request. Accordingly, I respectfully request that the Planning & Zoning Commission consider waiving the two-year waiting period for consideration.

My client proposes to develop a long-term care facility (skilled nursing facility) use that is permissible within the Planned Development-426-Retail/General Office zoning district. A portion of the area of our request has this zoning as do adjacent developed properties to the north and to the west of our request. As I understand it, the Planned Development-131-Light Industrial-1 zoning district was expanded to accommodate a proposed automobile towing service that never developed. Our request proposes to rezone the property back to its former zoning.

It is our understanding that this request for a waiver of the two-year waiting period will be considered by the Planning & Zoning Commission on February, 18, 2008. If you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Hucaby", is written over a light blue horizontal line.

Alan Hucaby AIA