

PLANNING & ZONING COMMISSION

PLANO MUNICIPAL CENTER

1520 K AVENUE

April 2, 2007

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 - March 19, 2007, 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>PUBLIC HEARINGS</u></p> <p>5 Preliminary Replat & Revised Site Plan: All Star Skate Addition, Block A, Lot 1R - Commercial amusement (indoor) on one lot on 3.1± acres located on the south side of 14th Street, 398± feet east of Jupiter Road. Zoned Retail with Specific Use Permit #482 for Arcade. Neighborhood #68. Applicant: Branom Properties</p> <p>6 Preliminary Replat: Independence Crossing, Block A, Lot 4R - Retail and restaurant development on one lot on 7.6± acres located on the east side of Independence Parkway, 580± feet north of Hedgcoxe Road. Zoned Retail with Specific Use Permit #368 for Day Care Center. Neighborhood #6. Applicant: Green Street Properties</p>	

END OF PUBLIC HEARINGS

- 7**
TF **Preliminary Plat & Site Plan:** 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: East Side Partners, Ltd.**
- 8**
PJ **Request to Waive the Two-Year Waiting Period and to Call a Public Hearing:** Request to waive the two-year waiting period for rezoning and to call a public hearing to consider amending the planned development stipulations for Planned Development-65-Central Business-1, located at the northwest corner of Tennyson Parkway and Parkwood Boulevard. **Applicant: Jackson-Shaw Company**
- 9**
PJ **Request to Call a Public Hearing to Consider Appropriate Zoning:** Request to call a public hearing to consider the appropriate zoning for 7.6± acres located at the southeast corner of Country Club Drive and Santo Road (presently zoned General Office with Specific Use Permits #9 & #13 for Country Club and Private Club) and for 167.0± acres located generally on the east and west sides of Los Rios Boulevard, 300± feet south of Country Club Drive (presently zoned Agricultural with Specific Use Permit #9 for Country Club). **Applicant: City of Plano**
- 10** **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

April 2, 2007

Agenda Item No. 5

Public Hearing - Preliminary Replat & Revised Site Plan: All Star Skate Addition,
Block A, Lot 1R

Applicant: Branom Properties

DESCRIPTION:

Commercial amusement (indoor) on one lot on 3.1± acres located on the south side of 14th Street, 398± feet east of Jupiter Road. Zoned Retail with Specific Use Permit #482 for Arcade. Neighborhood #68.

REMARKS:

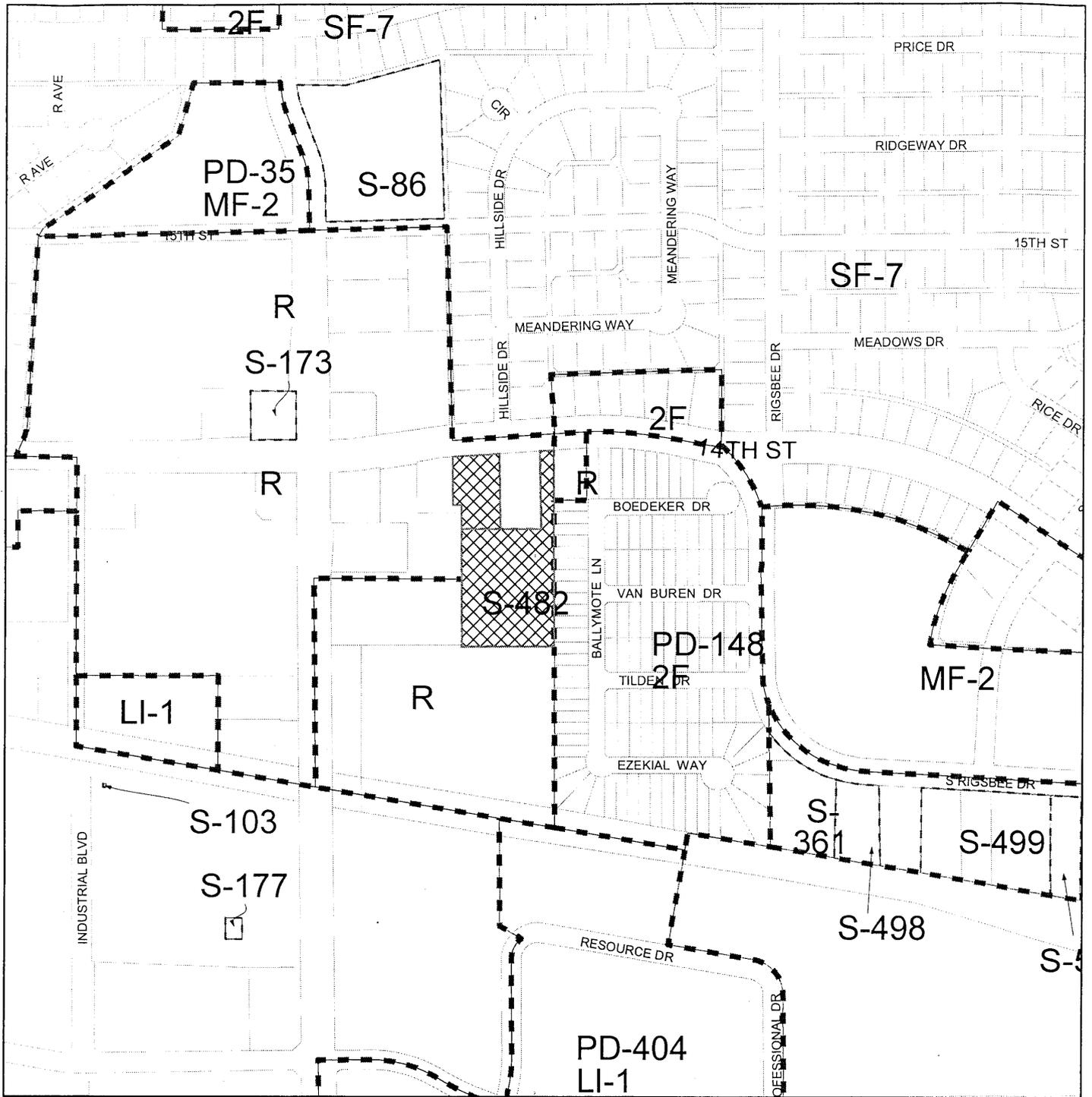
The purpose of the preliminary replat is to combine two lots into one and to dedicate additional fire lane, access and utility easements.

The purpose of the revised site plan is to redevelop a vacant lot adjacent to 14th Street to provide additional parking.

RECOMMENDATIONS:

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

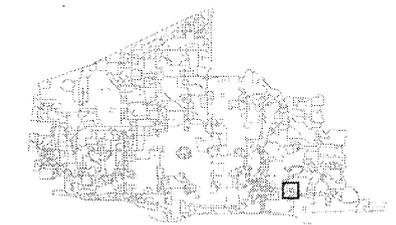
Revised Site Plan: Recommended for approval as submitted.



Item Submitted: PRELIMINARY REPLAT &
REVISED SITE PLAN

Title: ALL STAR SKATE ADDITION
BLOCK A, LOT 1R

Zoning: RETAIL w/SPECIFIC USE PERMIT #482



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

April 2, 2007

Agenda Item No. 6

Public Hearing - Preliminary Replat: Independence Crossing, Block A, Lot 4R

Applicant: Green Street Properties

DESCRIPTION:

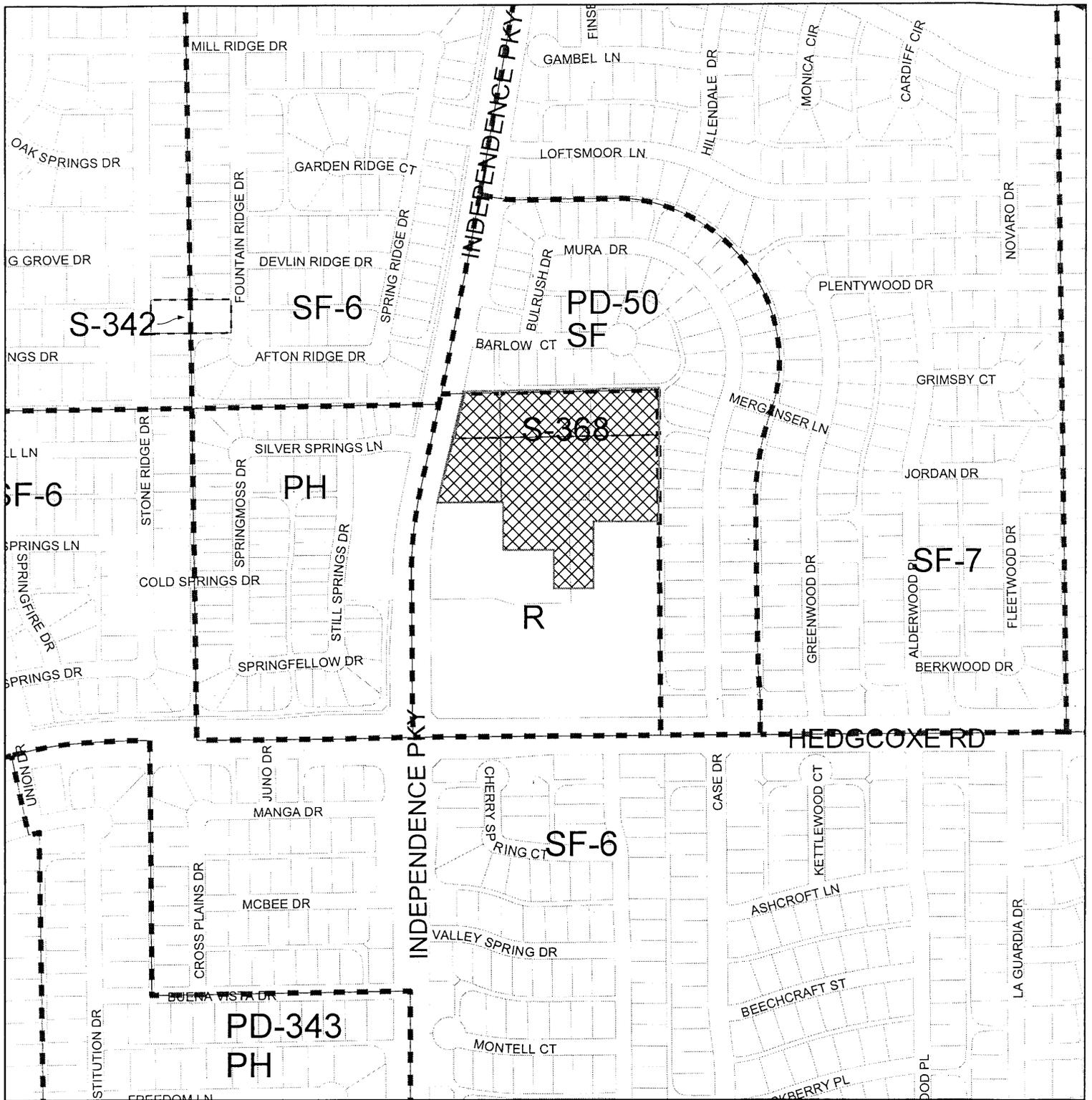
Retail and restaurant development on one lot on 7.6± acres located on the east side of Independence Parkway, 580± feet north of Hedgcoxe Road. Zoned Retail with Specific Use Permit #368 for Day Care Center. Neighborhood #6.

REMARKS:

The purpose of the preliminary replat is to abandon unnecessary easements and dedicate new easements required for development.

RECOMMENDATIONS:

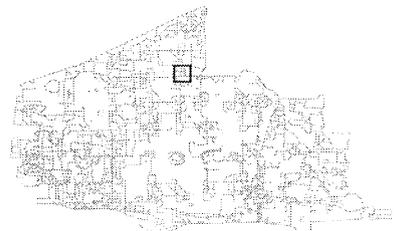
Recommended for approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.



Item Submitted: PRELIMINARY REPLAT

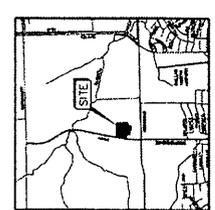
Title: INDEPENDENCE CROSSING
BLOCK A, LOT 4R

Zoning: RETAIL w/SPECIFIC USE PERMIT #368



○ 200' Notification Buffer





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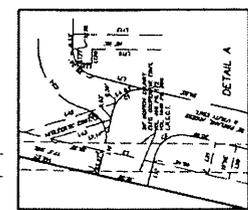
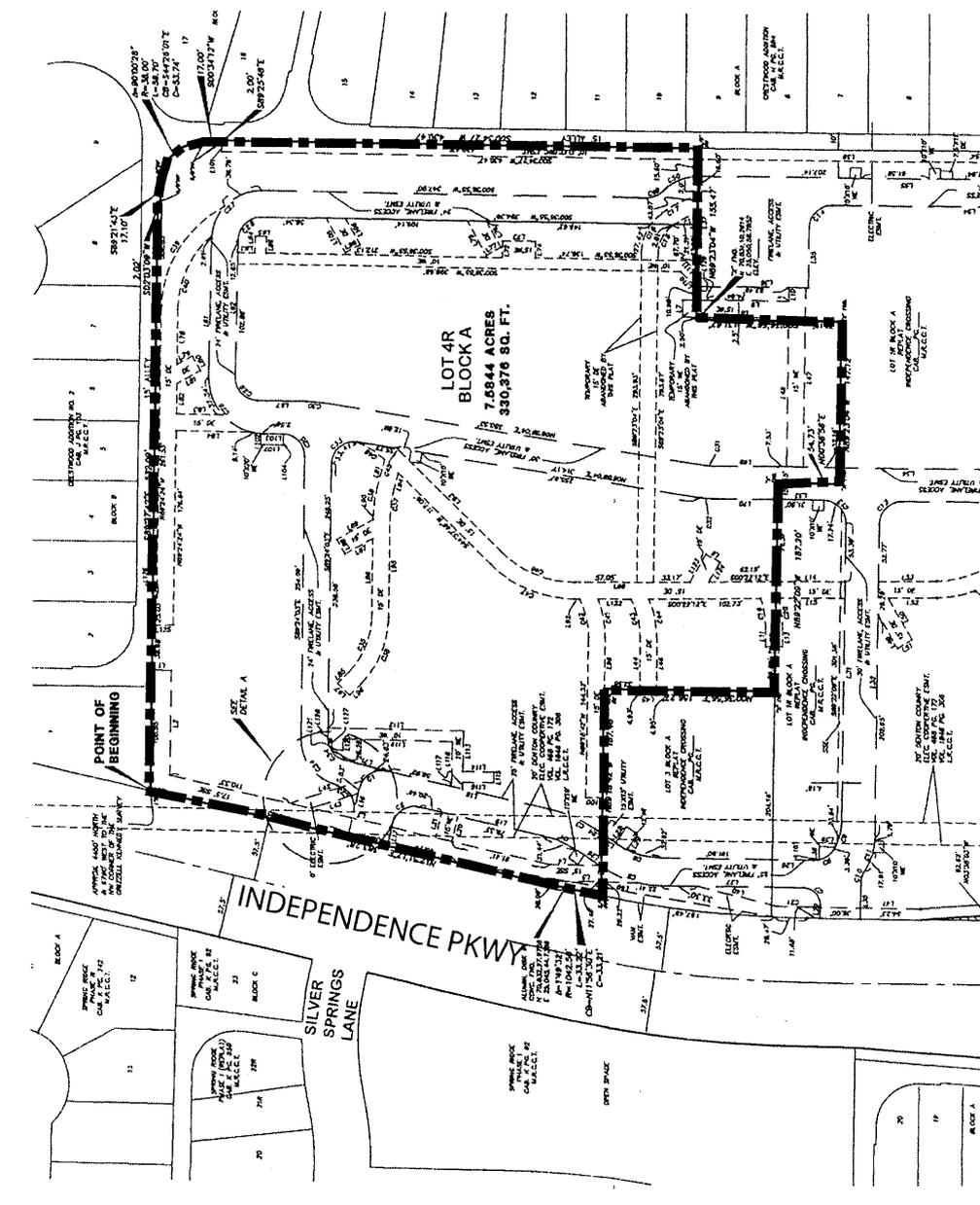
THE PURPOSE OF THIS REPLAT IS TO ADD EASEMENTS REQUIRED FOR DEVELOPMENT AND ABANDON PREVIOUS EASEMENTS.

PRELIMINARY REPLAT

LOT 4R BLOCK A
 BEING 7.8844 ACRES OUT OF INDEPENDENCE CROSSING BLOCK A, LOTS 1-3, in addition to the City of Plano according to the plat thereof recorded in Cabinet _____ Page _____ of the Map Records of Collin County, Texas

BEING 7.8844 ACRES OUT OF GRIZZELL KENNEDY SURVEY, ABSTRACT No. 439 CITY OF PLANO, COLLIN COUNTY, TEXAS

DATE: March 22, 2007
 TIME: 10:10 AM
 SHEET: 1 OF 2



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NOTICE: PORTION OF THIS ADDRESS IS BELIEVED TO BE IN VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO THE CITY'S ENFORCEMENT OF UTILITIES AND BUILDING PERMITS.

CITY OF PLANO
PLANNING & ZONING COMMISSION

April 2, 2007

Agenda Item No. 7

Preliminary Plat & Site Plan: Custer-Ridgeview Addition, Block 1, Lot 7

Applicant: East Side Partners, Ltd.

DESCRIPTION:

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.

REMARKS:

The purpose of the site plan is to allow for a proposed dog kennel facility. West of the property is an existing multifamily development, and east of the property is an existing office building. The Zoning Ordinance requires a masonry screening wall be provided between residential and nonresidential properties. The applicant is proposing a living screen along the west property line and is requesting that the Planning & Zoning Commission grant a waiver to the masonry wall requirement.

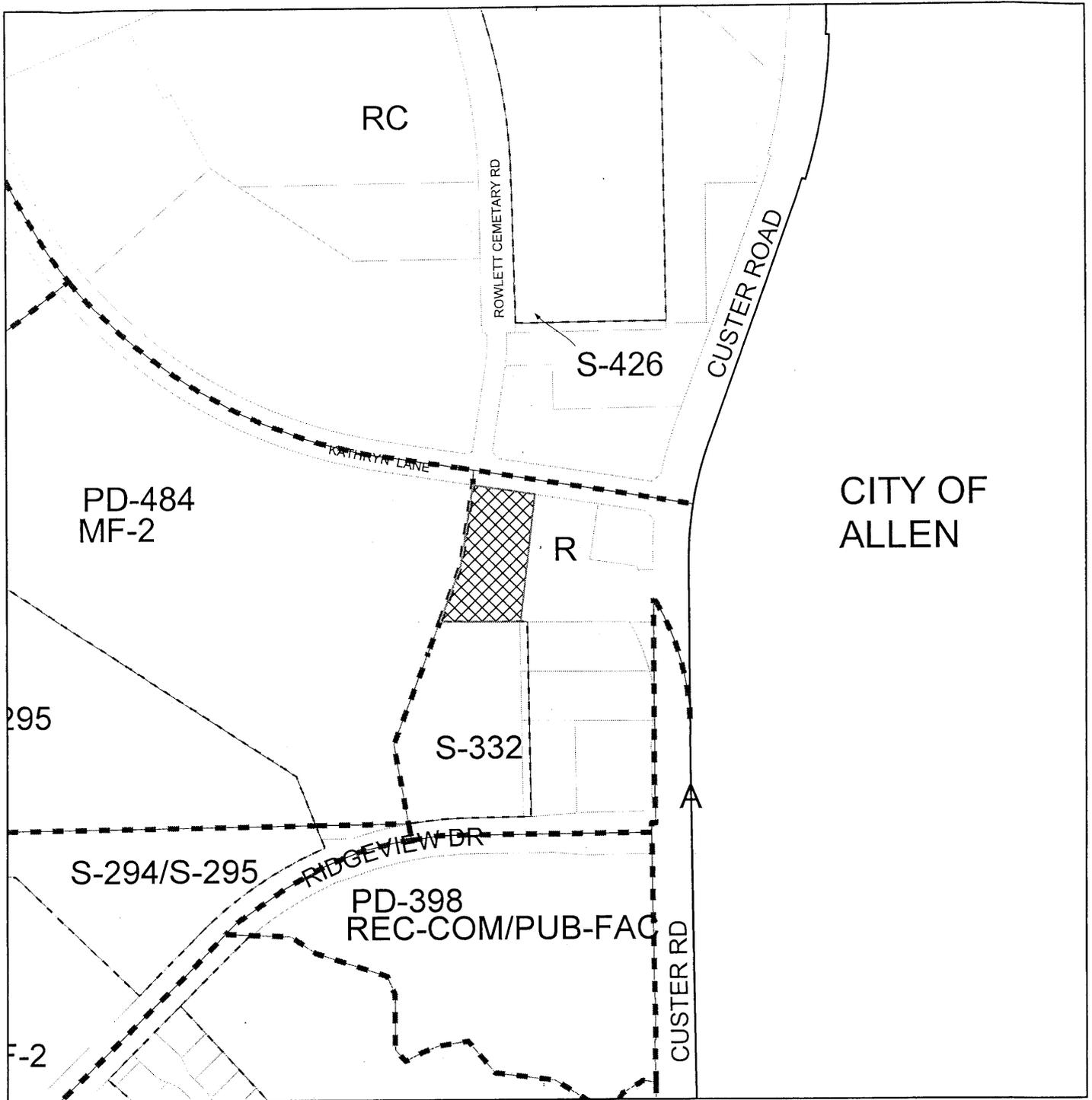
There is an existing wrought iron fence along the west property line of the subject property. Given this existing fence, the proposed 6-foot living screen is a more desirable screening option. The screening shrubbery will likely co-exist with the existing wrought iron fence better than a masonry screening wall. Installation and maintenance of a masonry wall could potentially be difficult given the close proximity of the masonry wall to the existing wrought iron fence. Aesthetically, the shrubbery will provide better screening for the adjacent multifamily residential development. A landscape screen will allow the plant material to grow and blend with the existing fence and still achieve the minimum 6-foot screening requirement.

The purpose of the preliminary plat is to dedicate easements necessary for development.

RECOMMENDATIONS:

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

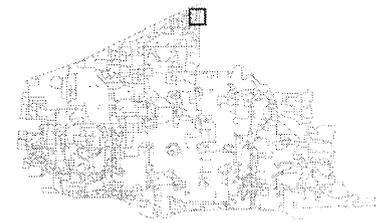
Site Plan: Recommended for approval subject to the Planning & Zoning Commission finding that a living screen will provide adequate screening, and granting a waiver to the masonry wall requirement.



Item Submitted: PRELIMINARY PLAT & SITE PLAN

Title: CUSTER-RIDGEVIEW ADDITION
BLOCK 1, LOT 7

Zoning: RETAIL



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

April 2, 2007

Agenda Item No. 8

Request to Waive the Two-Year Waiting Period and to Call a Public Hearing

Applicant: Jackson-Shaw Company

DESCRIPTION:

Request to waive the two-year waiting period for rezoning and to call a public hearing to consider amending the planned development stipulations for Planned Development-65-Central Business-1, located at the northwest corner of Tennyson Parkway and Parkwood Boulevard.

REMARKS:

The applicant is a property owner in the Legacy Town Center development and is proposing the construction of a multi-story hotel on the north side of Legacy Drive. The planned development district prohibits off-street loading docks for non-residential uses from being located adjacent to or across a street or alley from buildings containing residential uses. As Legacy Town Center has continued to develop with a mix of commercial, multi-family and townhouse uses, it has become difficult to find locations for loading docks and loading areas that are not adjacent to or near residential uses. The applicant is requesting that the Planning & Zoning Commission allow a zoning petition to move forward to consider amending this requirement.

Section 6.115 of the Zoning Ordinance mandates a two-year waiting period once zoning is amended on a particular piece of property. The development stipulations for Planned Development-65-Central Business-1 (PD-65-CB-1) were last amended in November 2005. However, the Planning & Zoning Commission may waive the two-year waiting period if it determines that there are substantive reasons for the waiver. Substantive reasons for waiving the waiting period include, but are not limited to:

1. Correction of an error.
2. A change of conditions affecting the property and which were not known at the time of zoning.
3. A change in public plans or policies as it affects the property.

The stipulations for PD-65-CB-1 have been amended several times since its creation in 1998 to accommodate the specialized higher-density, pedestrian-oriented nature of the development.

The second part of the applicant's request is to ask the Commission to call a public hearing to begin the rezoning process. Article 4 of the Zoning Ordinance governs planned development districts and requires that amendments to a PD be requested by all property owners. With the fragmentation of property ownership in Legacy Town Center, especially with the introduction of townhouses owned by individual homeowners, this requirement is not practical. The Planning & Zoning Commission has done this in the past, and called a public hearing for Zoning Case 2005-26, which amended the signage regulations in Legacy Town Center.

RECOMMENDATIONS:

There are two actions in relation to this request.

1. If the Commission finds substantive reasons for allowing a zoning request to be considered, it should waive the two-year waiting period.
2. Staff recommends that if the two-year waiting period is waived, the Commission should call a public hearing to amend the off-street loading dock location and screening requirements in PD-65-CB-1.



27 March 2007

Phyllis M. Jarrell, AICP
Director of Planning
City of Plano
P.O. Box 860358
Plano, TX 75086-0358

Ms. Jarrell-

We appreciate the time, effort, and expertise your office has offered to **three** as we continue to develop the Shops at Legacy North Hotel. This letter is to formally request a change to subsection D of Residential Development Standards zoning ordinance 98-11-86 of the Legacy Town Center Planned Development 65. This ordinance states that "Off-street loading docks for non-residential uses may not be located adjacent to, or across a street or alley from, buildings containing residential uses".

Legacy Town Center Tract North is a mixed use development comprised of retail, commercial, and residential components. In many areas, these uses are intertwined, creating a rich environment that is user friendly and a great place to interact. As such, there are few opportunities to position these needed service and loading access points away from residential areas.

The functionality of the proposed 9-story hotel, spa, and street side retail at the corner of Bishop Road and Lone Star Drive benefits significantly from the loading dock and trash area being located on the north elevation. This location is however, directly across from a planned townhouse development. **three** understands that there has not been a formal submittal regarding the townhouses, however we respectfully request a zoning ordinance change to waive the loading dock placement requirement anticipating the future needs of the development. The loading dock and trash area will be enclosed and will be screened to public view by two 22'-0"x15'-0" painted steel coiling doors.

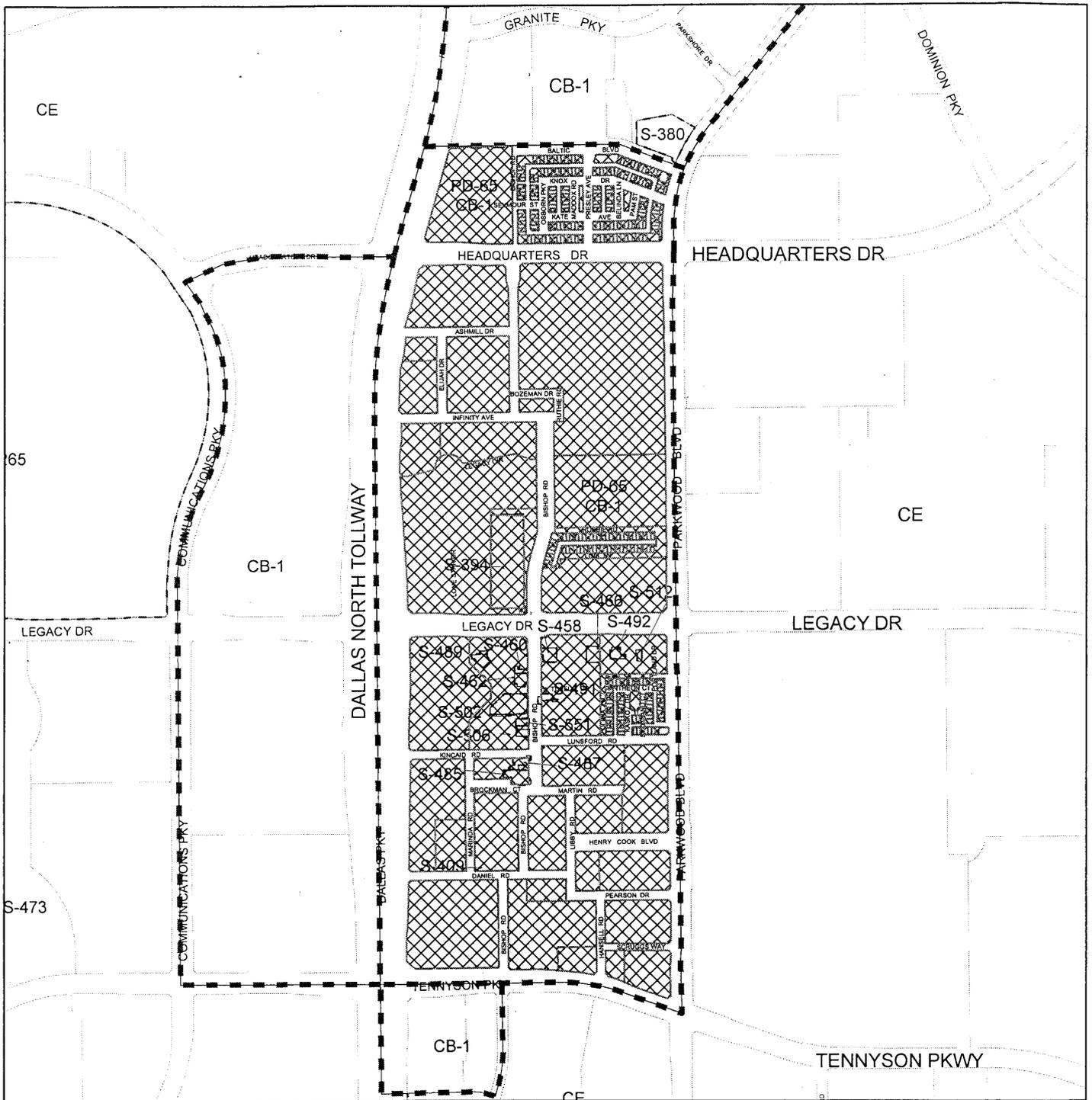
We understand that the last zoning change was requested in November 2005. Due to this, **three** also requests from the Planning Commission a waiver regarding the two year waiting period on zoning changes.

Please contact me with any questions regarding the above information.

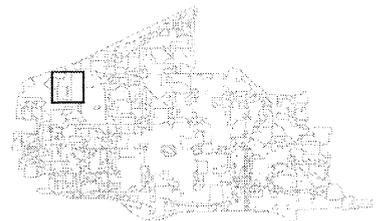
Thank you, and best regards.

A handwritten signature in black ink, appearing to read 'Dan Hammons', followed by a horizontal line extending to the right.

Daniel S. Hammons, AIA
Associate
three



REQUEST TO CALL A PUBLIC HEARING



○ 200' Notification Buffer



CITY OF PLANO

PLANNING & ZONING COMMISSION

April 2, 2007

Agenda No. 9

Request to Call a Public Hearing to Consider Appropriate Zoning

Applicant: City of Plano

DESCRIPTION:

Request to call a public hearing to consider the appropriate zoning for 7.6± acres located at the southeast corner of Country Club Drive and Santo Road (presently zoned General Office with Specific Use Permits #9 & #13 for Country Club and Private Club) and for 167.0± acres located generally on the east and west sides of Los Rios Boulevard, 300± feet south of Country Club Drive (presently zoned Agricultural with Specific Use Permit #9 for Country Club).

HISTORY:

The property described above contains the Los Rios Country Club gold course and clubhouse facilities. In October 2006, the Planning & Zoning Commission considered Zoning Case 2006-25, which was a request to rezone the clubhouse property to Single-Family Residence Attached (SF-A) to allow approximately 4 acres to be developed with an adjoining tract already zoned SF-A. After much discussion and hearing from numerous homeowners in the area opposed to the rezoning, the Commission denied the request. The townhouse developer later submitted a preliminary site plan for the existing SF-A tract, which was approved by the Commission at its February 19, 2007, meeting. At that meeting, homeowners asked that the Commission consider rezoning both the clubhouse property and the golf course property as well. Two members of the Commission later asked that staff bring this item back for consideration.

The existing zoning for the clubhouse and golf course properties was established in 1972, along with the zoning for the entire residential and retail area known as Los Rios. The City Council designated the clubhouse property as Office with a specific use permit for a country club and private club. The golf course itself was zoned Agricultural with a specific use permit for a country club. The records for Zoning Case 72-17 do not indicate why Office zoning was chosen for the clubhouse property. It may be that residential zoning districts at that time did not allow either clubhouses or private clubs.

REMARKS:

During the consideration of Zoning Case 2006-25 and the subsequent preliminary site plan for the townhouse development, the question of appropriate zoning for the clubhouse property and the golf course itself arose. Homeowners indicated that a single-family detached residential zoning classification with a lot size similar to the existing development in the area would be more appropriate for the clubhouse property. They expressed concerns about possible future development on the property should the golf course cease operations and the property be redeveloped. General Office (O-2) zoning allows a variety of office and personal service uses, with no height limit on buildings. As with other commercial zoning districts, O-2 districts are typically located on collector streets (60 feet of right-of-way; 36 feet of pavement) or larger streets, and are not located within the interior of neighborhoods.

The golf course property that runs along the Rowlett Creek floodplain south of the Los Rios residential subdivisions has a base zoning of Agricultural. This is the city's most restrictive zoning classification and allows few uses other than farms, ranches, and large lot single-family development. The entire golf course property lies within the Rowlett Creek and Cottonwood Creek floodplains, and any future development would be severely restricted as a result.

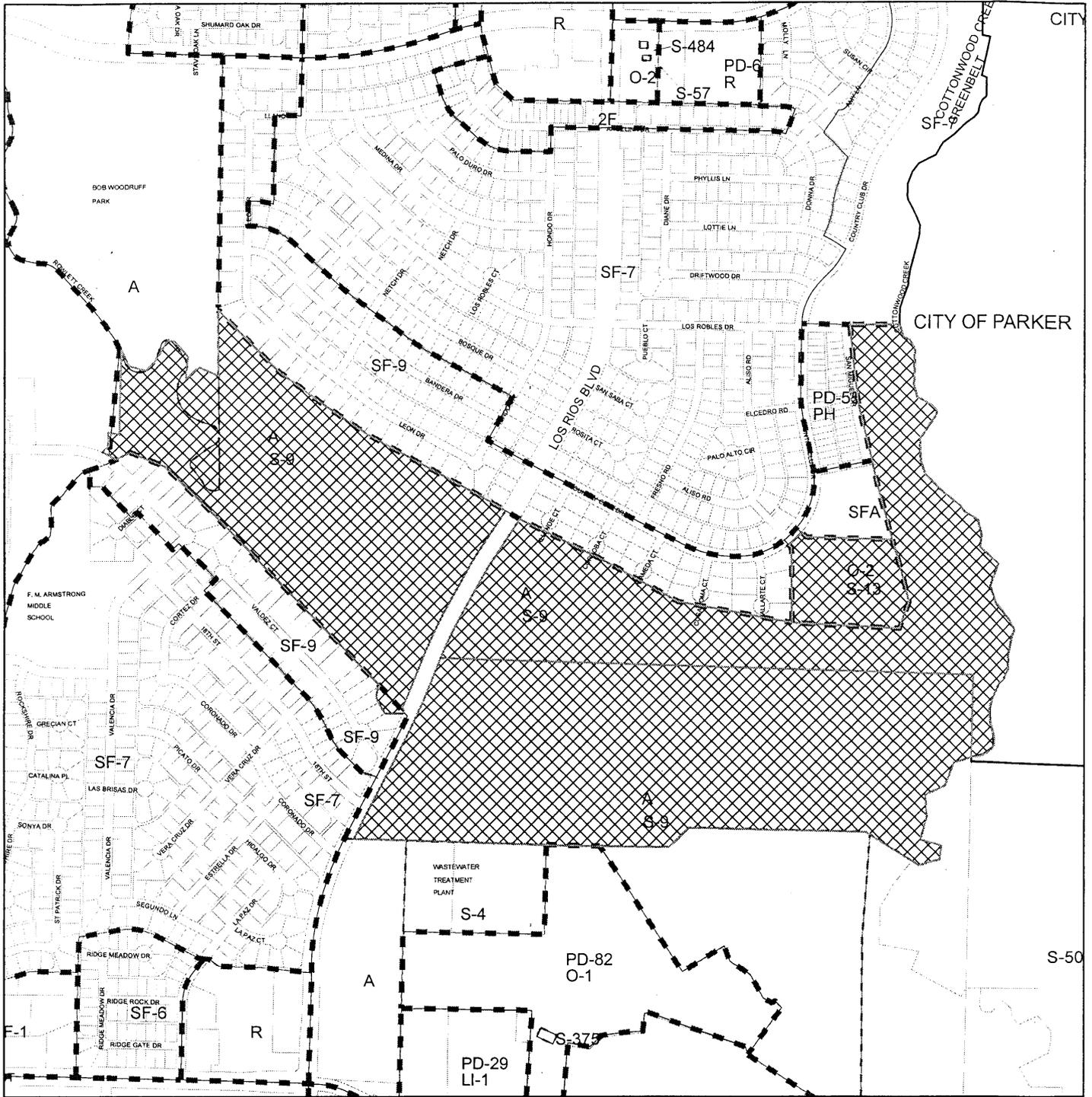
Both the Planning & Zoning Commission and City Council have the authority to initiate zoning cases to change the zoning on a particular piece of property or amend the zoning ordinance text itself. As with other zoning actions, the Commission should make sure that the proposed rezoning is in compliance with the future land use plan in the Comprehensive Plan or is furthering an adopted policy of the city. An example of a city initiated rezoning in the past includes action to rezone the lower end of K Avenue to bring the zoning into compliance with the Future Land Use Plan. Also, after the adoption of the Tri-City Retail Study, the Commission considered whether or not to rezone undeveloped retail tracts to reduce the amount of potential retail development in the city, but decided to not make any changes. Zoning changes should not create instances of "spot" zoning and should take into consideration the surrounding zoning districts and development pattern.

The Commission should consider whether or not it wishes to initiate rezoning of the clubhouse and golf course property. If it determines that a different zoning classification should be considered, the Commission should call a public hearing to start the process. The Commission does not need to specify a particular zoning district at this time; to maintain maximum flexibility, the zoning request can be styled as a determination of the appropriate zoning classification.

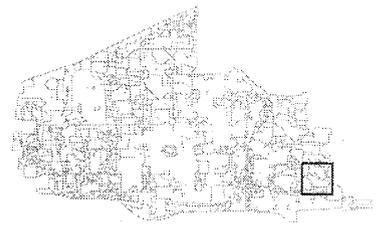
RECOMMENDATIONS:

Since the golf course already carries the city's most restrictive zoning classification, staff does not recommend that the zoning be changed.

If the Commission believes that the zoning on the clubhouse property should be changed, it should call a public hearing to start the rezoning process.



DETERMINATION OF APPROPRIATE ZONING



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

April 2, 2007

Agenda Item No. 10

Items for Future Discussion

Applicant: City of Plano

REMARKS:

Staff has a training class scheduled for Tuesday, April 3, 2007, that will focus on the Comprehensive Plan and its use. We wanted to see what other topics and issues that the Commission may be interested in covering at future worksessions. Please think about what questions that you might have had arise when considering past cases. We plan to hold regular training sessions to cover both the basics and the more specialized topics that you are interested in.