

PLANNING & ZONING COMMISSION

PLANO MUNICIPAL CENTER

1520 K AVENUE

May 7, 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 - April 16, 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>CONSENT AGENDA</u></p> <p>5a Preliminary Plat: Capital One Addition, Block 1, Lot 3 - General office on one lot on 24.9± acres located on the west side of Preston Road, 1,200± feet north of Hedgcoxe Road. Zoned Commercial Employment. Neighborhood #8. Applicant: West Plano Land Company, L.P.</p> <p>5b Revised Conveyance Plat: Capital One Addition, Block 1, Lots 3 & 4 - Two conveyance lots on 49.1± acres located on the west side of Preston Road, 1,200± feet north of Hedgcoxe Road. Zoned Commercial Employment. Neighborhood #8. Applicant: West Plano Land Company, L.P.</p>	

<p>5c TF</p>	<p>Final Plat: Cottonwood Creek Park Addition, Block 1, Lot 1 & Block 2, Lot 1 - A park on two lots on 22.9± acres located at the southeast corner of Park Boulevard and Country Club Drive and at the northwest corner of Park Boulevard and Jeker Drive. Zoned Single-Family Residence-7 & Single-Family Residence-9. Neighborhood #50. Applicant: City of Plano</p>
<p>5d TF</p>	<p>Revised Concept Plan: Legacy Town Center (North) Addition, Block A, Lots 1 & 2 - Mixed use development on two lots on 28.0± acres located at the southwest corner of Headquarters Drive and Parkwood Drive. Zoned Planned Development-65-Central Business-1. Neighborhood #8. Applicant: Columbus Realty Partners, Ltd.</p>
<p>5e TF</p>	<p>Preliminary Plat: Avignon Windhaven, Phases 2 & 3 - 104 PD-154-SF-6 lots and 11 open space lots on 42.1± acres located at the northeast corner of Windhaven Parkway and Jacqueline Drive. Zoned Planned Development-154-Single-Family Residence-6. Neighborhood #27. Applicant: Acres of Sunshine, Ltd.</p>
<p>5f EH</p>	<p>Preliminary Site Plan: Denbury Addition, Block 1, Lot 2 - General office building on one lot on 5.1± acres located at the southeast corner of Tennyson Parkway and Windcrest Drive. Zoned Commercial Employment. Neighborhood #16. Applicant: KDC - Plano Investments I, L.P.</p>
<p>5g EH</p>	<p>Preliminary Site Plan: Parkway Carmax Addition, Block A, Lot 4 - Office and warehouse development on one lot on 3.7± acres located on the south side of Plano Parkway, 450± feet east of Fulgham Road. Zoned Light Industrial-1. Neighborhood #55. Applicant: Three Point Seven Two Nine, L.P.</p>
<p>5h EH</p>	<p>Preliminary Site Plan: Custer Creek Center Addition, Block A, Lot 3 - Two retail buildings on one lot on 3.4± acres located generally at the southwest corner of State Highway 121 and Custer Road. Zoned Regional Commercial. Neighborhood #3. Applicant: MC Custer 121, L.P.</p>
<p><u>END OF CONSENT AGENDA</u></p>	
<p><u>PUBLIC HEARINGS</u></p>	
<p>6 EH</p>	<p>Public Hearing: Zoning Case 2007-07 - Request for a Specific Use Permit for Day Care (In-home) on one lot on 0.1± acre located on the south side of Cambridge Drive, 235± feet east of Brittany Court. Zoned Single-Family Residence-7. Applicant: Igor and Alla Plaskovitskiy</p>

<p>7A TF</p>	<p>Public Hearing: Zoning Case 2007-08 - Request to rezone 57.8± acres from Agricultural to Commercial Employment located at the southeast corner of State Highway 121 and Spring Creek Parkway. Neighborhood #14. Applicant: Thompson McSpedden Family Partners</p>
<p>7B TF</p>	<p>Concept Plan: 121 Spring Creek Addition, Block 1, Lots 1-13 - Future retail, general office, and restaurant on 13 lots on 55.0± acres located at the southeast corner of State Highway 121 and Spring Creek Parkway. Neighborhood #14. Applicant: Thompson McSpedden Family Partners</p>
<p>8 EH</p>	<p>Public Hearing - Replat & Revised Site Plan: EDS Clusters, Block A, Lot 2R - General office buildings on one lot on 36.9± acres located on the north side of Tennyson Parkway, 1,750± feet east of Parkwood Boulevard. Zoned Commercial Employment. Neighborhood #16. Applicant: Legacy Campus, L.P.</p>
<p>9 EH</p>	<p>Preliminary Replat & Site Plan: Independence Crossing, Block A, Lot 2R - Bank on one lot on 1.3± acres located at the northeast corner of Hedgcoxe Road and Independence Parkway. Zoned Retail. Neighborhood #6. Applicant: Wal-Mart Stores Texas, L.P.</p>
<p><u>END OF PUBLIC HEARINGS</u></p>	
<p>10 TF</p>	<p>Preliminary Site Plan: FTK Addition, Block A, Lot 1 - Service contractor without outside storage on one lot on 0.8± acre located at the southeast corner of K Avenue and Pecan Lane. Zoned Light Commercial. Neighborhood #22. Applicant: James Goodman</p>
<p>11 PJ</p>	<p>Discussion and Direction on the Planning & Zoning Commission's Work Program - Discussion and direction on the projects and priorities for the Planning & Zoning Commission's Work Program. Applicant: City of Plano</p>
<p>12</p>	<p>Items for Future Discussion - The Planning & Zoning Commission may identify issues or topics that they wish to schedule for discussion at a future meeting.</p>

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

May 7, 2007

Agenda Item No. 5a

Preliminary Plat: Capital One Addition, Block 1, Lot 3

Applicant: West Plano Land Company, LP

General office on one lot on 24.9± acres located on the west side of Preston Road, 1,200± feet north of Hedgcoxe Road. Zoned Commercial Employment. Neighborhood #8.

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

Agenda Item No. 5b

Revised Conveyance Plat: Capital One Addition, Block 1, Lots 3 & 4

Applicant: West Plano Land Company, LP

Two conveyance lots on 49.1± acres located on the west side of Preston Road, 1,200± feet north of Hedgcoxe Road. Zoned Commercial Employment. Neighborhood #8.

Recommended for approval as submitted.

Agenda Item No. 5c

Final Plat: Cottonwood Creek Park Addition, Block 1, Lot 1 & Block 2, Lot 1

Applicant: City of Plano

A park on two lots on 22.9± acres located at the southeast corner of Park Boulevard and Country Club Drive and at the northwest corner of Park Boulevard and Jeker Drive. Zoned Single-Family Residence-7 & Single-Family Residence-9. Neighborhood #50.

Recommended for approval as submitted.

Agenda Item No. 5d

Revised Concept Plan: Legacy Town Center (North) Addition, Block A, Lots 1 & 2
Applicant: Columbus Realty Partners, Ltd.

Mixed use development on two lots on 28.0± acres located at the southwest corner of Headquarters Drive and Parkwood Drive. Zoned Planned Development-65-Central Business-1. Neighborhood #8.

The purpose of this revised concept plan is to allow for revised block, street and building configurations in phases two thru five, and to reduce the maximum number of residential units from 1,678 to 1,651 (a reduction of 27 units).

Recommended for approval as submitted.

Agenda Item No. 5e

Preliminary Plat: Avignon Windhaven, Phases 2 & 3
Applicant: Acres of Sunshine, Ltd.

104 PD-154-SF-6 lots and 11 open space lots on 42.1± acres located at the northeast corner of Windhaven Parkway and Jacqueline Drive. Zoned Planned Development-154-Single-Family Residence-6. Neighborhood #27.

Recommended for approval subject to:

- 1) Replat of common open space property Block H, Lot 10 into one lot.
 - 2) Review of Home Owners Association documents by Legal Department.
 - 3) Additions and/or alterations to the engineering plans as required by the Engineering Department.
-

Agenda Item No. 5f

Preliminary Site Plan: Denbury Addition, Block 1, Lot 2
Applicant: KDC - Plano Investments I, L.P.

General office building on one lot on 5.1± acres located at the southeast corner of Tennyson Parkway and Windcrest Drive. Zoned Commercial Employment. Neighborhood #16.

Recommended for approval subject to filing and recordation of offsite fire lane, access, and utility easements.

Agenda Item No. 5g
Preliminary Site Plan: Parkway Carmax Addition, Block A, Lot 4
Applicant: Three Point Seven Two Nine, L.P.

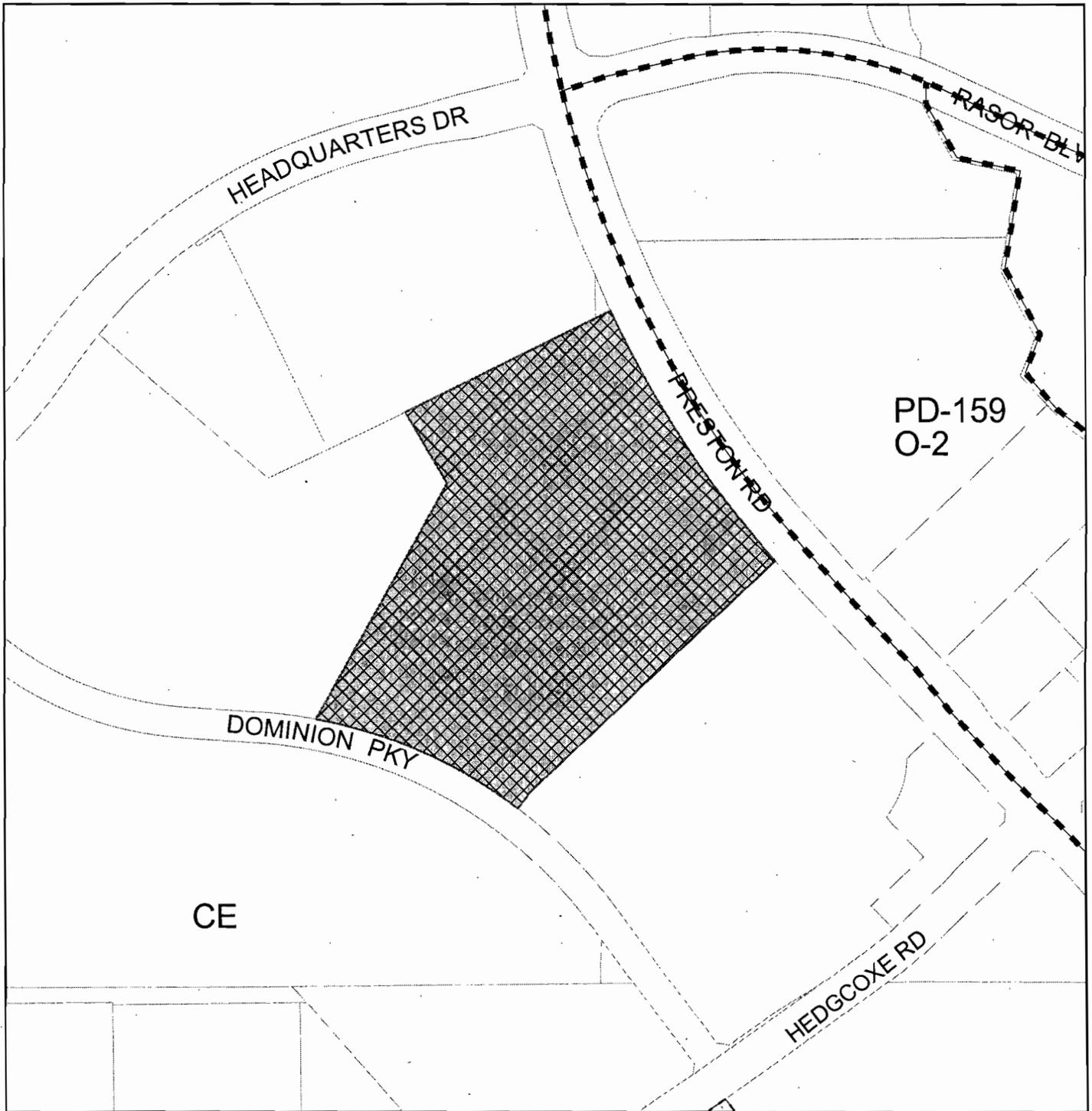
Office and warehouse development on one lot on 3.7± acres located on the south side of Plano Parkway, 450± feet east of Fulgham Road. Zoned Light Industrial-1. Neighborhood #55.

Recommended for approval as submitted.

Agenda Item No. 5h
Preliminary Site Plan: Custer Creek Center Addition, Block A, Lot 3
Applicant: MC Custer 121, L.P.

Two retail buildings on one lot on 3.4± acres located generally at the southwest corner of State Highway 121 and Custer Road. Zoned Regional Commercial. Neighborhood #3.

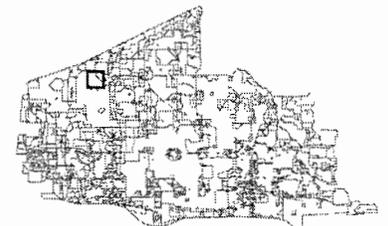
Recommended for approval as submitted.



Item Submitted: PRELIMINARY PLAT

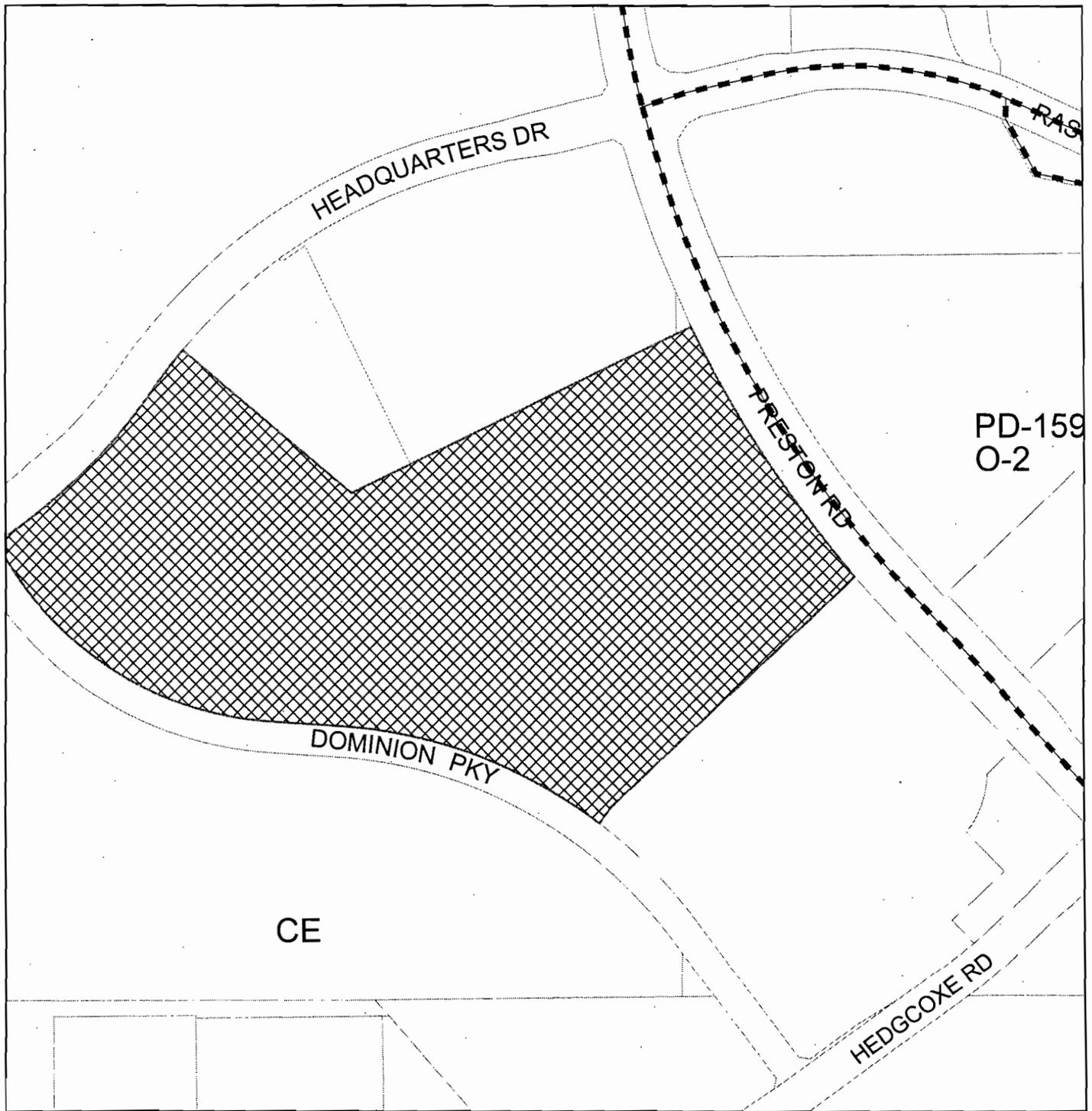
Title: CAPITAL ONE ADDITION
BLOCK 1, LOT 3

Zoning: COMMERCIAL EMPLOYMENT



○ 200' Notification Buffer

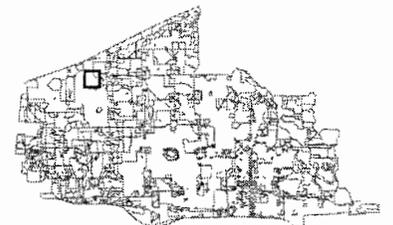




Item Submitted: CONVEYANCE PLAT

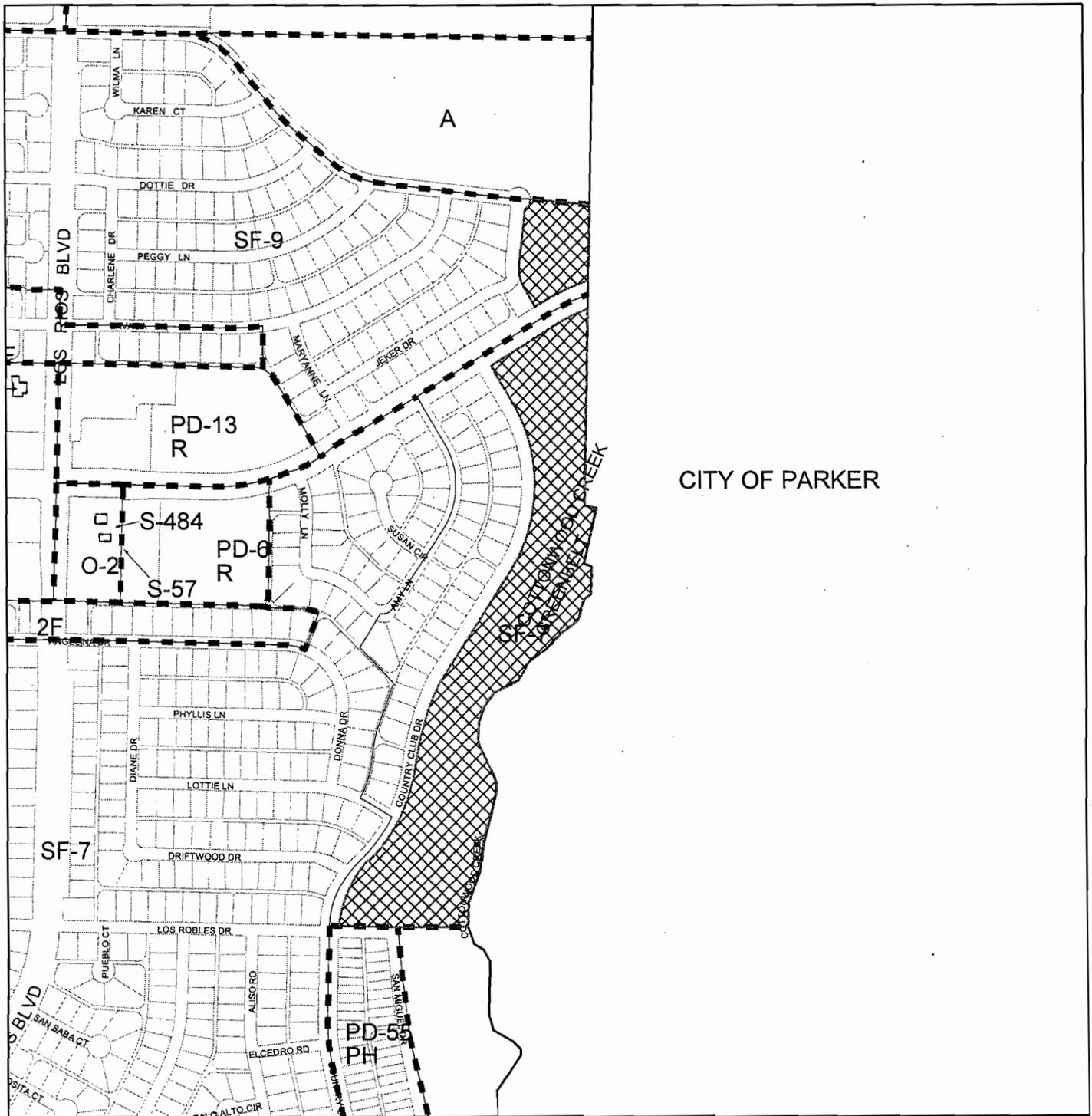
Title: CAPITAL ONE ADDITION
BLOCK 1, LOTS 3 & 4

Zoning: COMMERCIAL EMPLOYMENT



○ 200' Notification Buffer





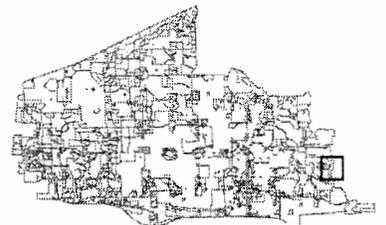
CITY OF PARKER



Item Submitted: FINAL PLAT

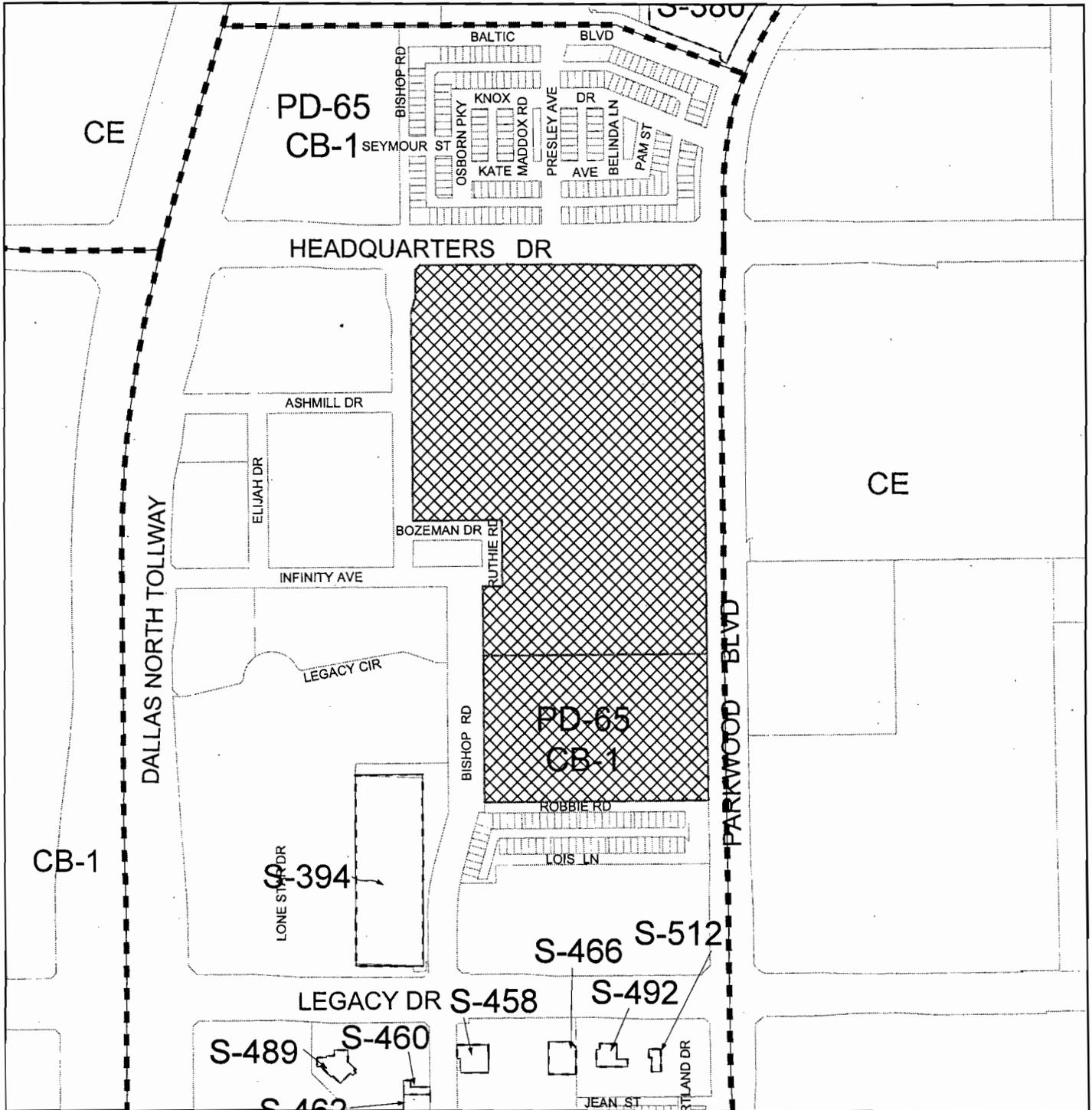
Title: COTTONWOOD CREEK PARK
BLOCK 1, LOT 1 & BLOCK 2, LOT 1

Zoning: SINGLE-FAMILY RESIDENCE-7 &
SINGLE-FAMILY RESIDENCE-9



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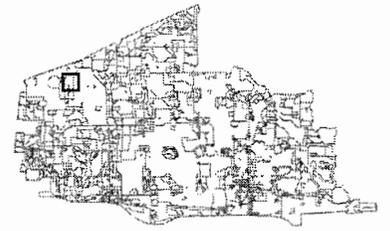




Item Submitted: REVISED CONCEPT PLAN

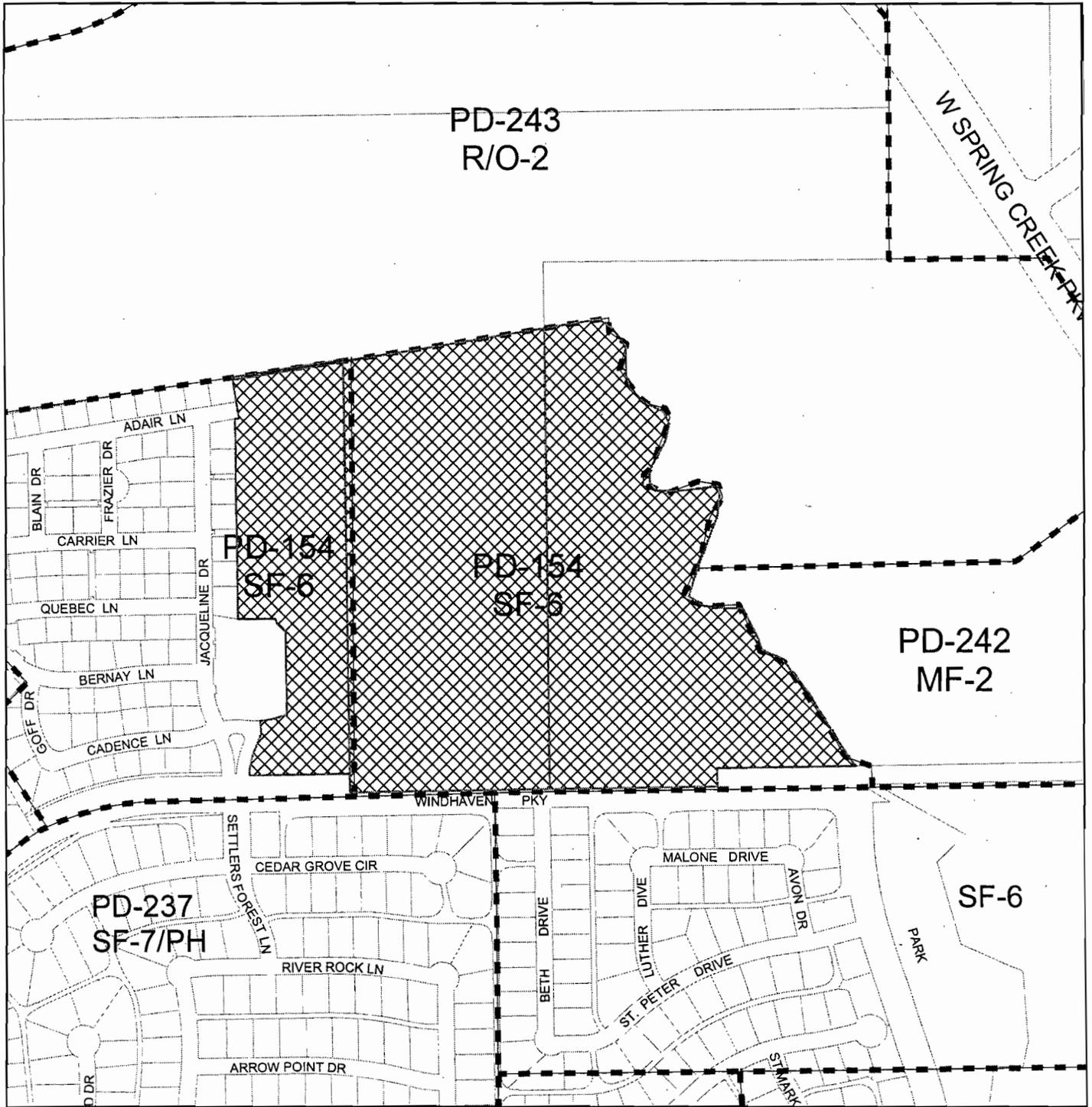
Title: LEGACY TOWN CENTER (NORTH)
BLOCK A, LOTS 1 & 2

Zoning: PLANNED DEVELOPMENT-65-CENTRAL BUSINESS-1



○ 200' Notification Buffer



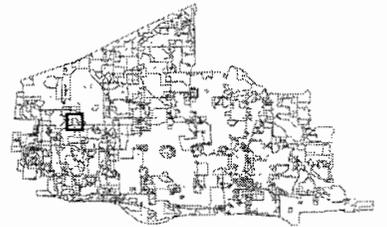


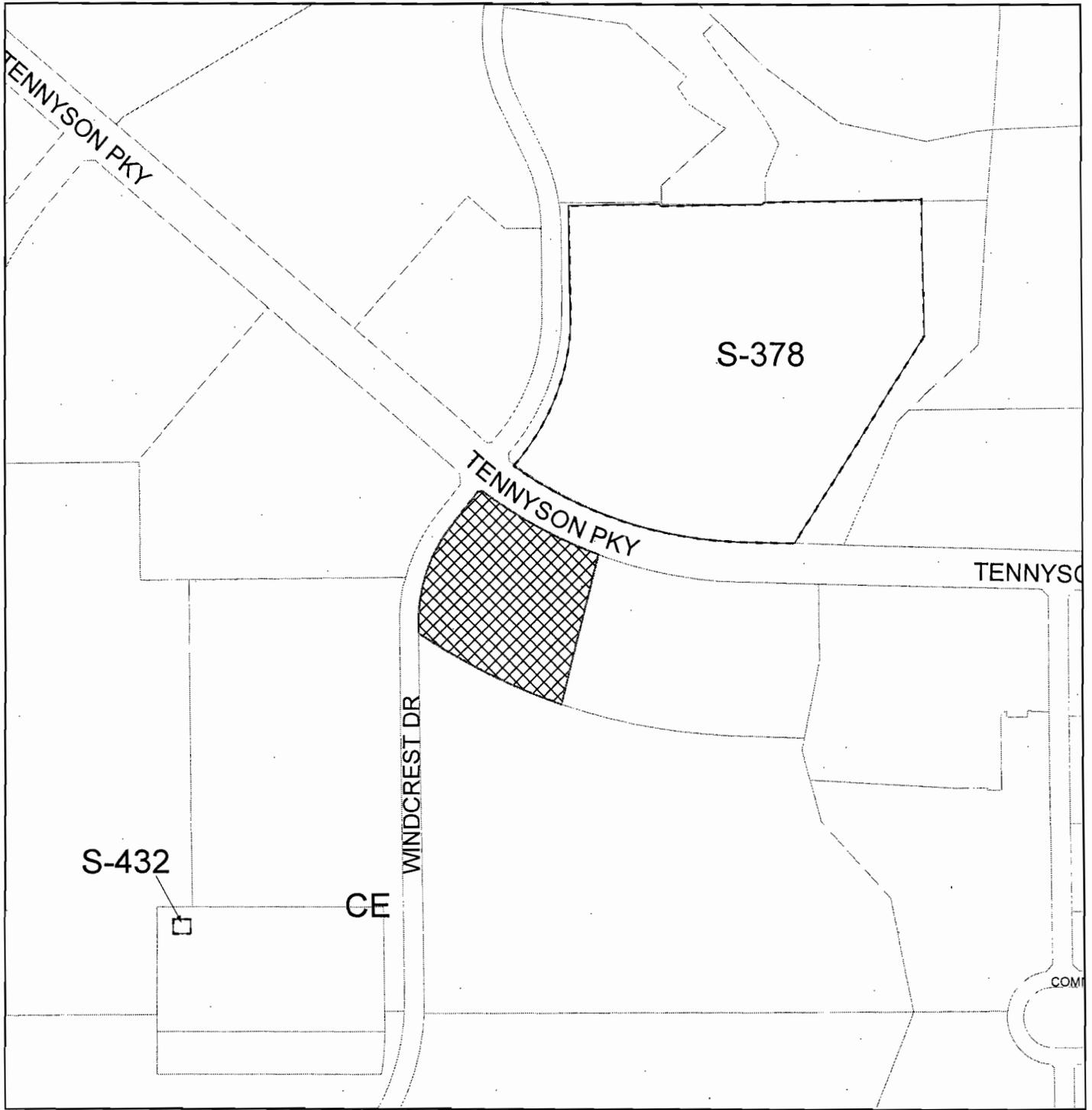
Item Submitted: PRELIMINARY PLAT

Title: AVIGNON WINDHAVEN, PHASES 2 & 3

Zoning: PLANNED DEVELOPMENT-154-SINGLE-FAMILY RESIDENCE-6

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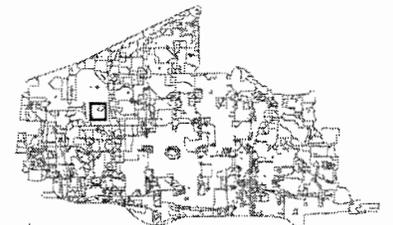




Item Submitted: PRELIMINARY SITE PLAN

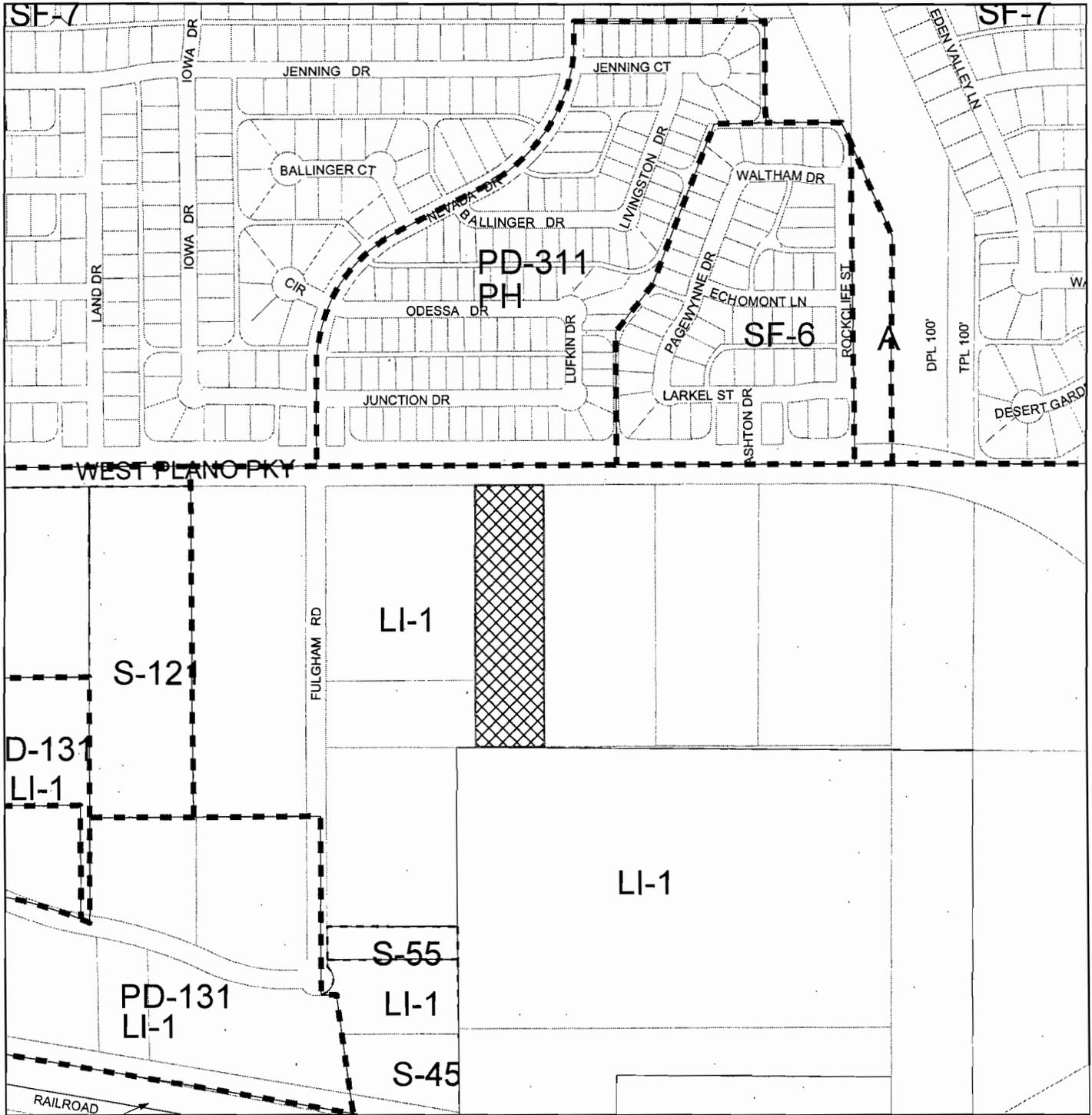
Title: DENBURY ADDITION
BLOCK 1, LOT 2

Zoning: COMMERCIAL EMPLOYMENT



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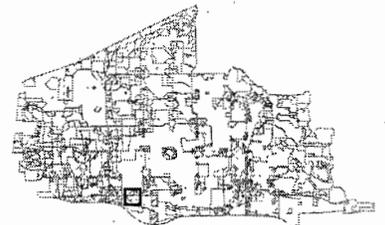




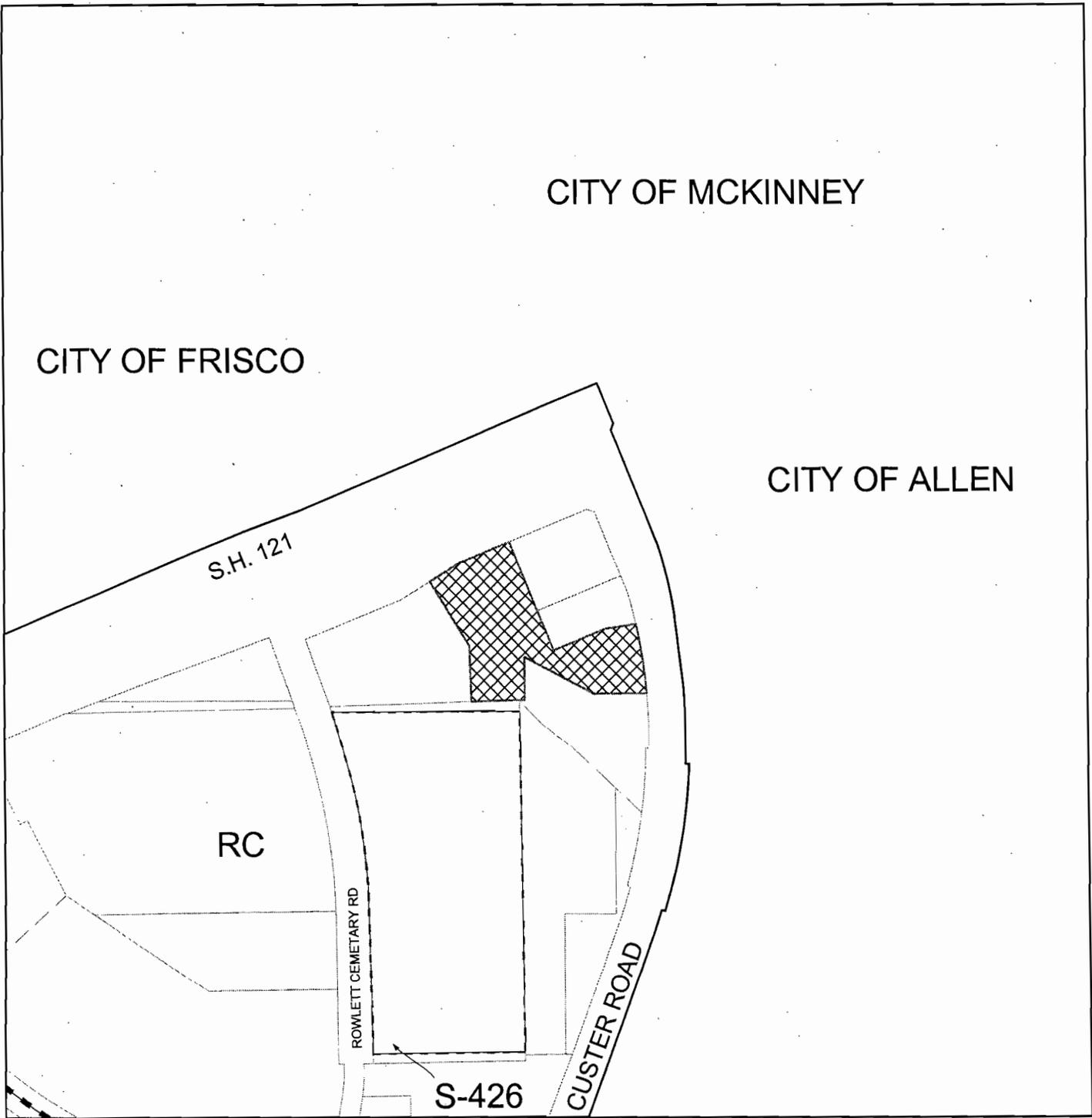
Item Submitted: PRELIMINARY SITE PLAN

Title: PARKWAY CARMAX ADDITION
BLOCK A, LOT 4

Zoning: LIGHT INDUSTRIAL-1



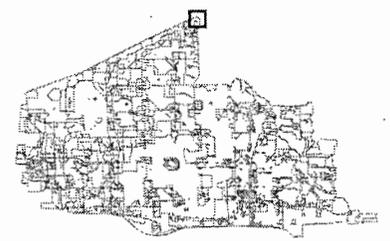
○ 200' Notification Buffer



Item Submitted: PRELIMINARY SITE PLAN

Title: CUSTER CREEK CENTER ADDITION
BLOCK A, LOT 3

Zoning: REGIONAL COMMERCIAL



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CITY OF PLANO
PLANNING & ZONING COMMISSION

May 7, 2007

Agenda Item No. 6

Public Hearing: Zoning Case 2007-07

Applicant: Igor and Alla Plaskovitskiy

DESCRIPTION:

Request for a Specific Use Permit for Day Care (In-home) on one lot on 0.1± acre located on the south side of Cambridge Drive, 235± feet east of Brittany Court. Zoned Single-Family Residence-7.

REMARKS:

The applicant is requesting a Specific Use Permit (SUP) for Day Care (In-home) at a single-family residential home. An in-home day care is allowed by right or by SUP in residential zoning districts based on the number and age of the children, subject to Home Occupation standards of the Zoning Ordinance. The applicant must obtain an SUP because they intend to care for more children under the age of five years than is allowed by right.

The property is located on a single-family residential lot within the Westgate 1 subdivision. The current zoning is Single-Family Residence-7 (SF-7). The SF-7 district is intended to provide for areas of urban single-family development on moderate-size lots, protected from excessive noise, illumination, odors, visual clutter, and other objectionable influences to family living.

ISSUES:

Day Care (In-home)

The Zoning Ordinance permits an in-home day care as a home occupation in the caretaker's residence. Day Care (In-home) is allowed by right or by SUP as defined as follows (Article 1, Section 1.600, Definitions):

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

Per Option #2 above, the applicant proposes to care for 12 children under the age of 5, which requires approval of an SUP.

Home Occupation

Home Occupations must comply with the conditions and requirements as follows (Article 3, Supplementary Regulations, Subsection 3.110):

1. Only one employee other than occupants of the residence may be employed. A person who receives a wage, salary, or percentage of profits directly related to the home occupation shall be considered an employee. This definition shall not include the coordination or supervision of employees who do not regularly visit the house for purposes related to business.
2. No interior or exterior signage shall be used to advertise the occupation. Vehicles bearing business signs shall not be parked on the street or within 30 feet of the curb.
3. A home occupation shall be conducted wholly within the principal dwelling and not in any accessory building. The total floor area to be used for a home occupation shall not exceed 20% of the total floor area of the principal dwelling, including garages. However, instructional classes may be held outside providing other stipulations of this ordinance are met. A maximum of six students may be allowed in each session.
4. Merchandise shall not be offered or displayed for sale on the premises. Sales incidental to a service shall be allowed, and orders previously made by telephone or at a sales party may be filled on the premises.

5. No outdoor storage of materials, goods, supplies, or equipment shall be allowed.
6. No building alterations shall be allowed that will alter the residential character of the home.
7. No repair or servicing of vehicles, internal combustion engines, large equipment, or large appliances shall be allowed.
8. A home occupation shall produce no offensive noise, vibration, smoke, electrical interference, dirt, odors, or heat in excess of those normally found in residential areas.
9. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials shall be used or stored on the site for business purposes
10. No traffic shall be generated by a home occupation in greater volumes than normally expected in a residential neighborhood, and any need for parking must be accommodated within the required off-street parking for the residence or along the street for the lot.

SUMMARY:

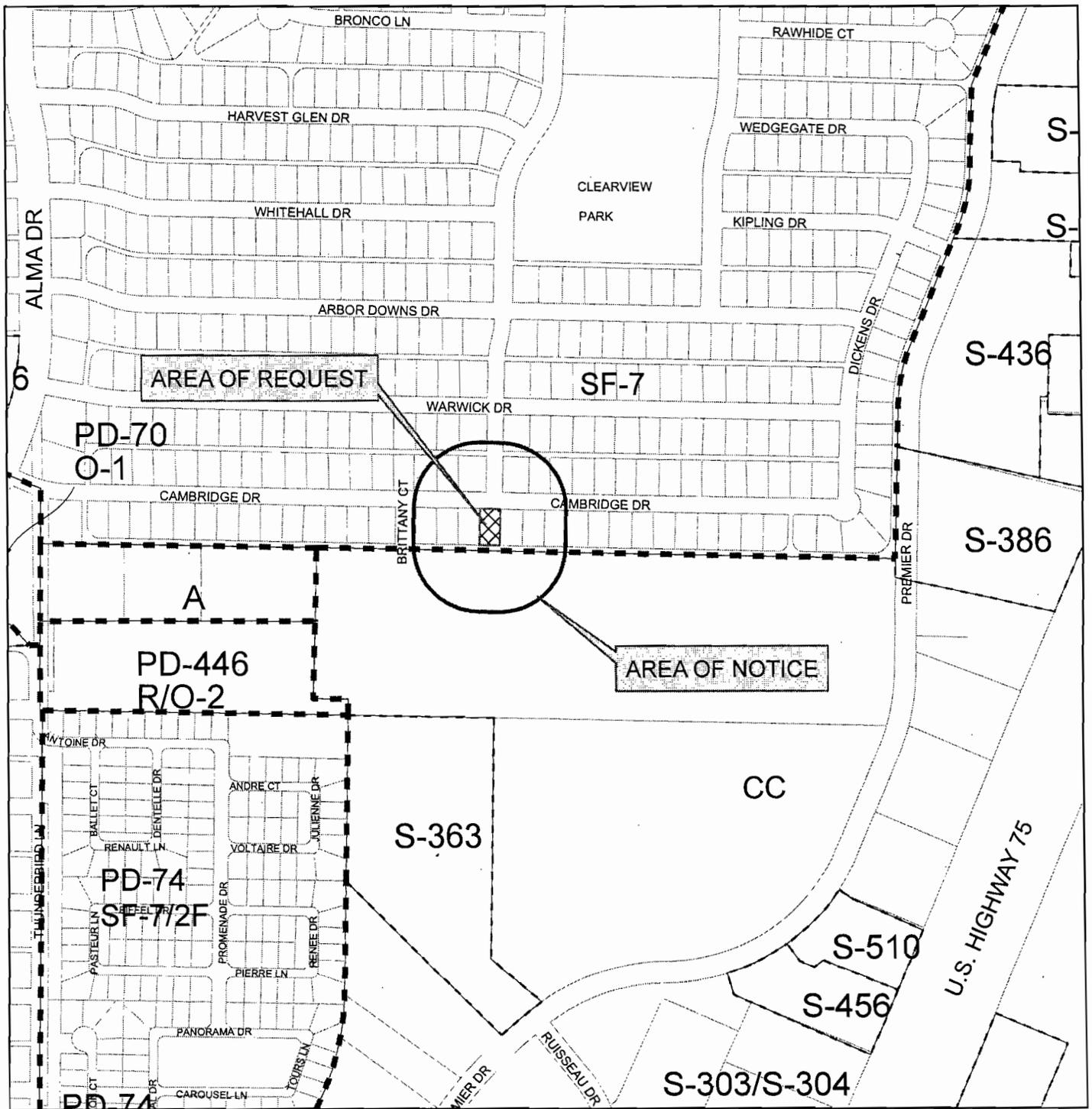
An individual can operate an in-home day care in a residentially-zoned district provided regulations for the city and state are met. An SUP is required for the property if the day care operation has nine or more children under the age of five years. The applicant, who is also the operator, complies with the city's ordinance requirements for home occupation regarding the number of employees, total floor area limitation, residential compliance, signage, and traffic.

Since other types of permits can be issued by the State for the operation of an in-home day care in residential areas, staff recommends an additional stipulation to the SUP, that the operation of an in-home day care as a home occupation use only.

RECOMMENDATIONS:

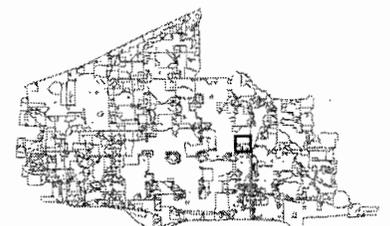
Staff recommends approval with the following restriction:

- In-home day care is operated as a home occupation use only.



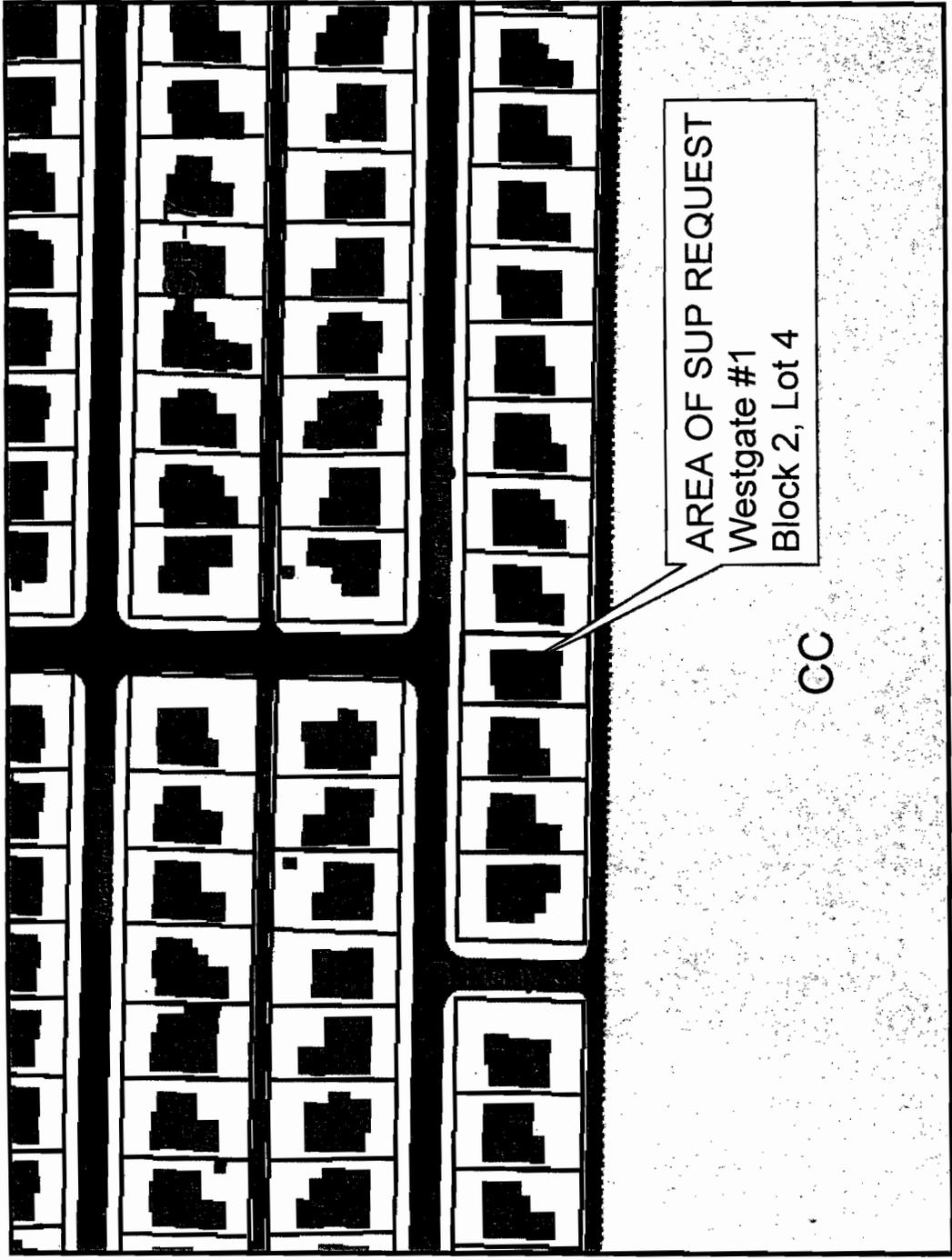
Zoning Case #: 2007-07

Existing Zoning: SINGLE-FAMILY RESIDENCE-7



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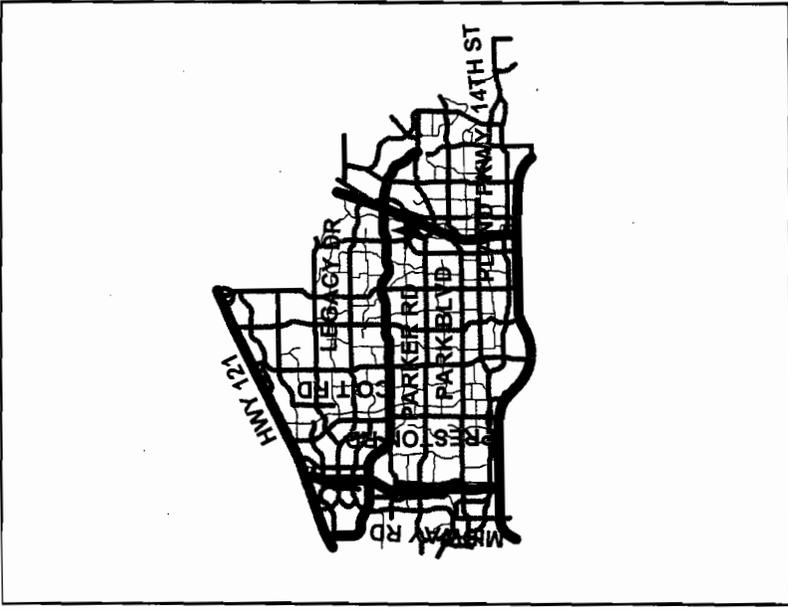




ZONING EXHIBIT

Case # 2007-07

Owner:
Igor & Alla Plaskovitskiy
760 Cambridge Drive
Plano, TX 75023



RECEIVED
APR 19 2007
PLANNING DEPT.

REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2007-07. This is a Specific Use Permit request for In-Home Day Care on one lot on 0.1+ acre located on the south side of Cambridge Drive, 235+ feet east of Brittany Court. Zoned Single-Family Residence-7. The requested zoning is for a Specific Use Permit (SUP) for In-Home Day Care. An SUP authorizes and regulates a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-07.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-07.

This item will be heard on MAY 7, 2007, 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.

This property was purchased to be a daycare. No one lives there now and no one has since the home was bought. I brought this up when they started their daycare in our neighborhood. Nothing was done. Their employees - clients would park in front of and beside my house. When I would get home from work I had nowhere to park.

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

Rocky and Barbara Glover
Name (Please Print)

Rocky V. Glover
Signature

757 Cambridge Dr.
Address

4-19-07
Date

EH

I called the City about the parking problem and was told it was a public street and they could park there if they wanted to. They did not stop parking in front of my house until I threatened to call the state (should have anyway) and report an illegal day care. I feel this has been an illegal operation from the start. I and my wife have personally seen them line up 17 children (that were old enough to walk) and take them to the park. I don't know how many babies they also keep. This has never been just a day care where a resident wants to watch 4 or 5 kids. Like I said it is a full blown day care business. I request you do not grant this permit and force them to make it a residence. If they want to run a day care business let them move to a business district and not a residential neighborhood.

Thank You

Rocky V. Glover

RECEIVED

APR 30 2007

PLANNING DEPT.

REPLY FORM

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



Dear Commissioners:

This letter is regarding Zoning Case 2007-07. This is a Specific Use Permit request for In-Home Day Care on one lot on 0.1+ acre located on the south side of Cambridge Drive, 235+ feet east of Brittany Court. Zoned Single-Family Residence-7. The requested zoning is for a Specific Use Permit (SUP) for In-Home Day Care. An SUP authorizes and regulates a use not normally permitted in a district, which could benefit in a particular case the general welfare, provided that adequate development standards and safeguards are established.

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

I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-07.

I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2007-07.

This item will be heard on **MAY 7, 2007, 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.

Hsiawen Fu
Name (Please Print)

Hsiawen Fu
Signature

801 Cambridge Dr. Plano
Address

4/28/2007
Date

EH

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 7, 2007

Agenda Item No. 7A

Public Hearing: Zoning Case 2007-08

Applicant: Thompson McSpedden Family Partners

DESCRIPTION:

Request to rezone 57.8± acres from Agricultural to Commercial Employment located at the southeast corner of State Highway 121 and Spring Creek Parkway. Neighborhood #14.

REMARKS:

The applicant is requesting to rezone 57.8± acres of property located at the southeast corner of Spring Creek Parkway and State Highway 121 and on the north side of Headquarters Drive, from Agricultural (A) to Commercial Employment (CE). A companion concept plan which provides for future office, retail, restaurant and commercial uses accompanies this rezoning request.

The subject property is currently undeveloped and is being used for agricultural purposes. The existing Agricultural (A) zoning district is intended to provide for farming, dairying, pasturage, horticulture, animal husbandry and the necessary accessory uses for packing, treating, or storing of produce. It is anticipated that all Agricultural zoning districts will be changed to other zoning district classifications as the city proceeds toward full development.

The requested Commercial Employment (CE) zoning district is intended to provide the flexibility for an integrated development that may include retail, office, commercial, light manufacturing, and multifamily residences.

Surrounding Land Use and Zoning

To the north is State Highway 121 and across the highway is the City of Frisco. East of the subject property, the property is undeveloped and is zoned Commercial Employment (CE). The Frito Lay corporate offices are located to the south across Headquarters Drive (Type C thoroughfare) on property zoned Commercial Employment (CE). To the west, across Spring Creek Parkway (Type B+ thoroughfare), the property is undeveloped and is located within the City of The Colony.

Conformance to the Comprehensive Plan

Future Land Use Plan – The Future Land Use Plan designates this property as Major Corridor Development (MCD). This request is in conformance with the Future Land Use Plan.

Adequacy of Public Facilities – Water and sanitary sewer services are available.

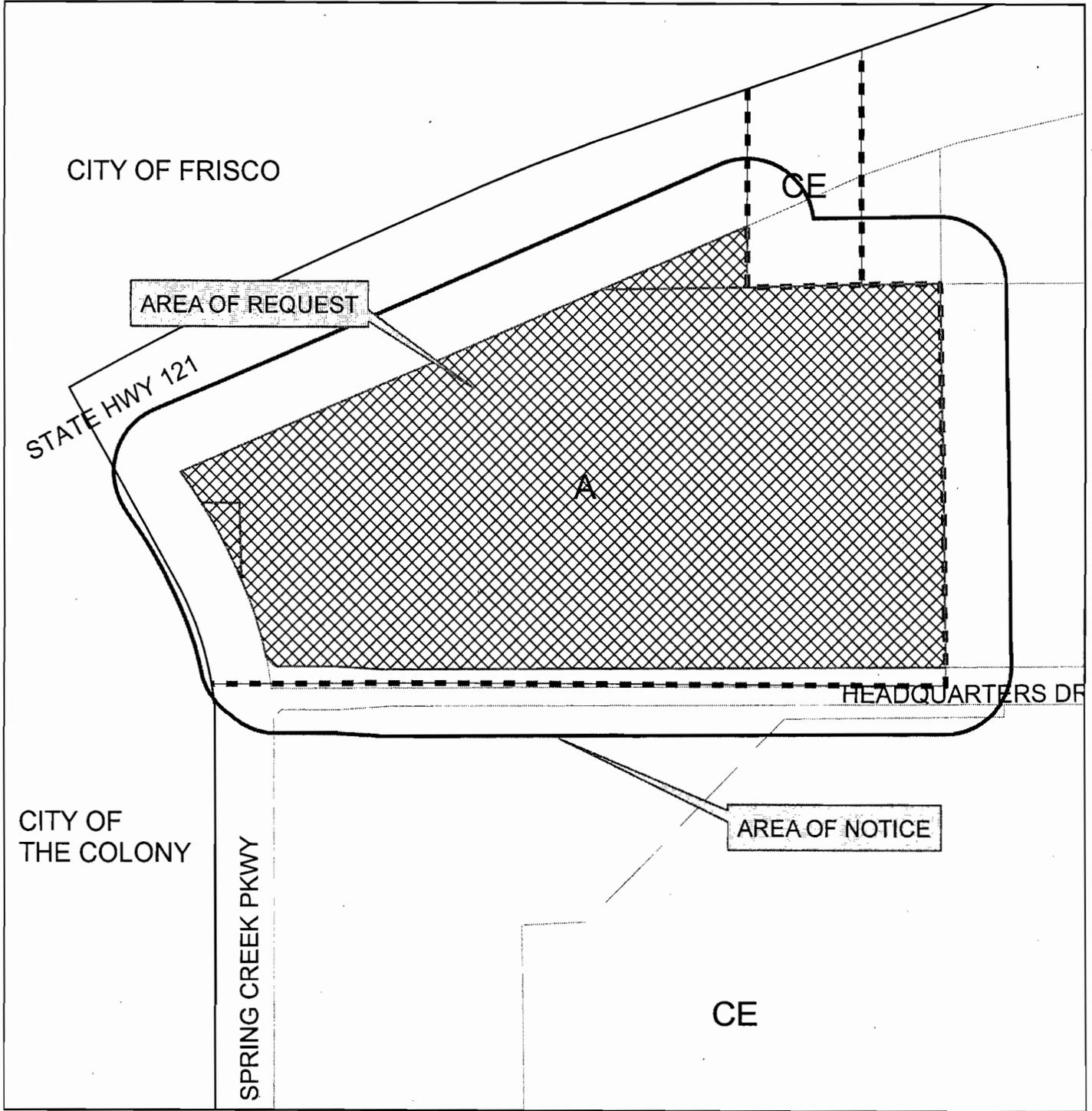
Traffic Impact Analysis (TIA) – A Traffic Impact Analysis was submitted by the applicant. The TIA states that the proposed zoning associated with the anticipated development will not cause any unacceptable impacts on the area roadway system. Refer to the attached memo from Jeff Green, P.E., Senior Traffic Engineer. The TIA is attached under separate cover.

SUMMARY:

The applicant is requesting to rezone the subject property from Agricultural to Commercial Employment to allow for future office, retail, restaurant and commercial development. The Zoning Ordinance specifically states that Agricultural zoning is anticipated to change as the city develops. The request is in conformance with the Comprehensive Plan. Additionally, the requested zoning is consistent with the existing zoning for the properties east and south of the subject property, within the City of Plano.

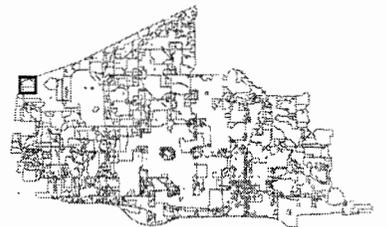
RECOMMENDATION:

Recommended for approval subject to the Planning & Zoning Commission finding, based upon the TIA, that the thoroughfares can accommodate anticipated traffic volumes at an acceptable level of service.



Zoning Case #: 2007-08

Existing Zoning: AGRICULTURAL



○ 200' Notification Buffer



April 30, 2007

MEMO

To: Tom Elgin, Development Review Manager

From: Jeff Green, P.E., Senior Traffic Engineer *JG*

Subject: 14/TIA for Zoning Case 2007-08 (SEC of State Highway 121/Spring Creek Parkway)

The subject tract is located along the south side of State Highway 121, just east of Spring Creek Parkway. An office development with a gas station and restaurant pad sites is the proposed land use. The proposed use is projected to generate approximately 10,110 additional daily trip ends, including an additional 1408 P.M. Peak Hour trips. The traffic impact of the proposed site was evaluated in terms of its impact on level of service at several surrounding intersections.

All of the intersections in the study area were shown to operate at Level of Service "D" or better under both existing and proposed traffic conditions.

Based on the review of this study, staff agrees with the conclusions of the traffic study, and that the proposed zoning associated with this development will not cause any unacceptable impacts on the area roadway system.

Xc: Lloyd E. Neal, P.E., Transportation Division Manager
Tina Firgens, Senior Planner

CITY OF PLANO
PLANNING & ZONING COMMISSION

May 7, 2007

Agenda Item No. 7B

Concept Plan: 121 Spring Creek Addition, Block 1, Lots 1-13

Applicant: Thompson McSpedden Family Partners

DESCRIPTION:

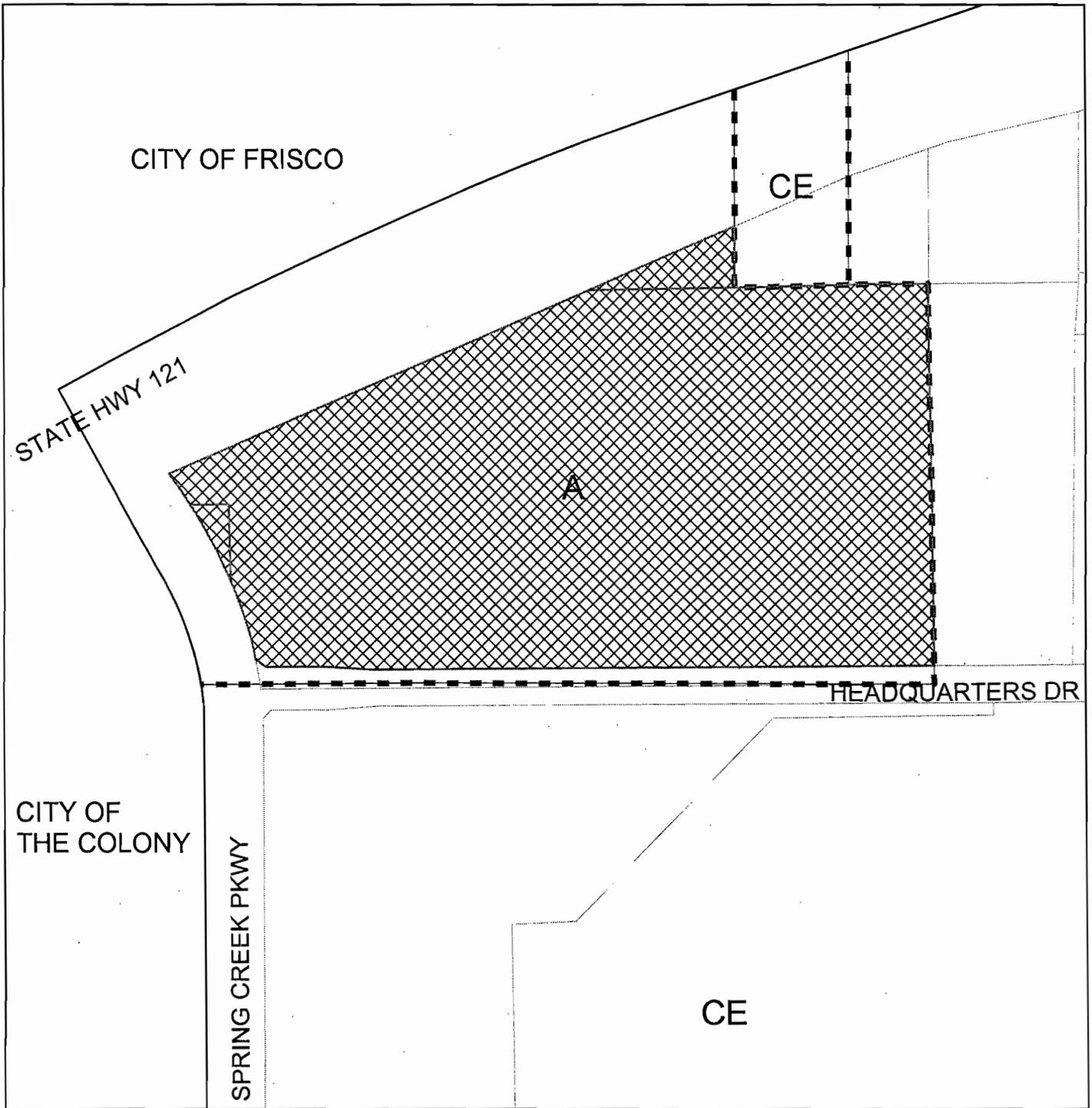
Future retail, general office, and restaurant on 13 lots on 55.0± acres located at the southeast corner of State Highway 121 and Spring Creek Parkway. Neighborhood #14.

REMARKS:

This concept plan is associated with Zoning Case 2007-08. The plan proposes to create a commercial and office development. The concept plan is in compliance with the requested zoning, Commercial Employment (CE), in Zoning Case 2007-08 and the city's regulations for the proposed zoning district. The concept plan provides for mutual access throughout the subject property, as well as provides for mutual access for the neighboring property to the east that fronts State Highway 121.

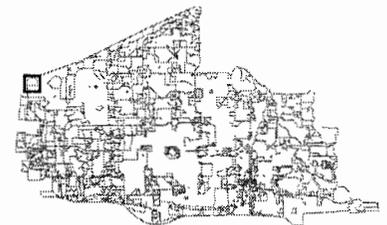
RECOMMENDATION:

Recommended for approval subject to City Council approval of Zoning Case 2007-08.



Item Submitted: CONCEPT PLAN

Title: 121 SPRING CREEK ADDITION
BLOCK 1, LOTS 1-13



Zoning: AGRICULTURAL

○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

May 7, 2007

Agenda Item No. 8

Public Hearing - Replat & Revised Site Plan: EDS Clusters, Block A, Lot 2R

Applicant: Legacy Campus, L.P.

DESCRIPTION:

General office buildings on one lot on 36.9± acres located on the north side of Tennyson Parkway, 1,750± feet east of Parkwood Boulevard. Zoned Commercial Employment. Neighborhood #16.

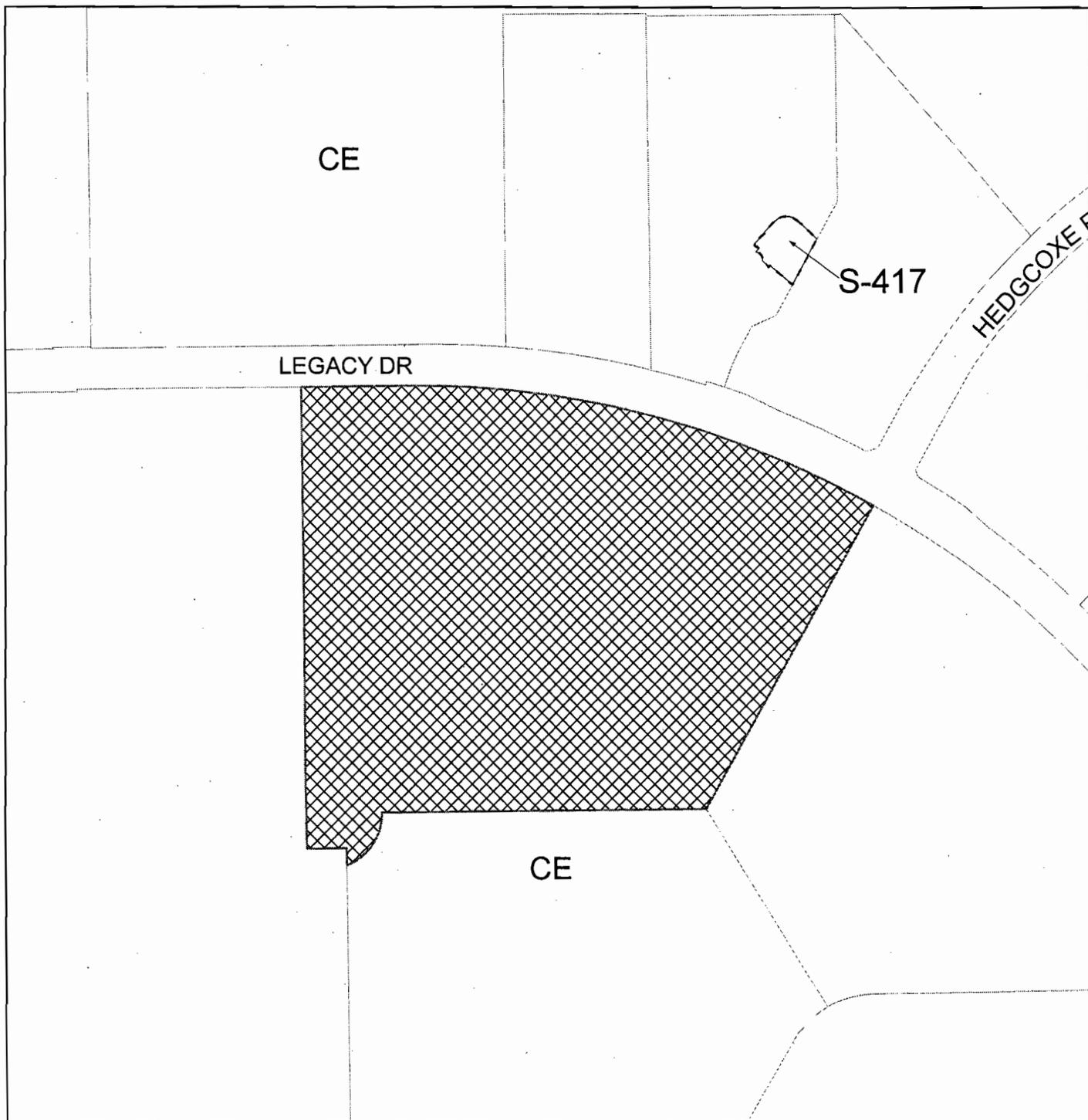
REMARKS:

The purpose of the replat is to abandon unnecessary easements and dedicate additional easements.

The purpose of the revised site plan is to reconfigure existing fire lanes and parking areas.

RECOMMENDATIONS:

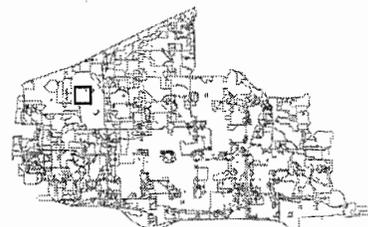
Recommended for approval as submitted.



Item Submitted: REPLAT & REVISED SITE PLAN

Title: EDS CLUSTERS
BLOCK A, LOT 2R

Zoning: COMMERCIAL EMPLOYMENT



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

May 7, 2007

Agenda Item No. 9

Preliminary Replat & Site Plan: Independence Crossing, Block A, Lot 2R

Applicant: J. P. Morgan Chase Bank, L.P.

DESCRIPTION:

Bank on one lot on 1.3± acres located at the northeast corner of Hedgcoxe Road and Independence Parkway. Zoned Retail. Neighborhood #6.

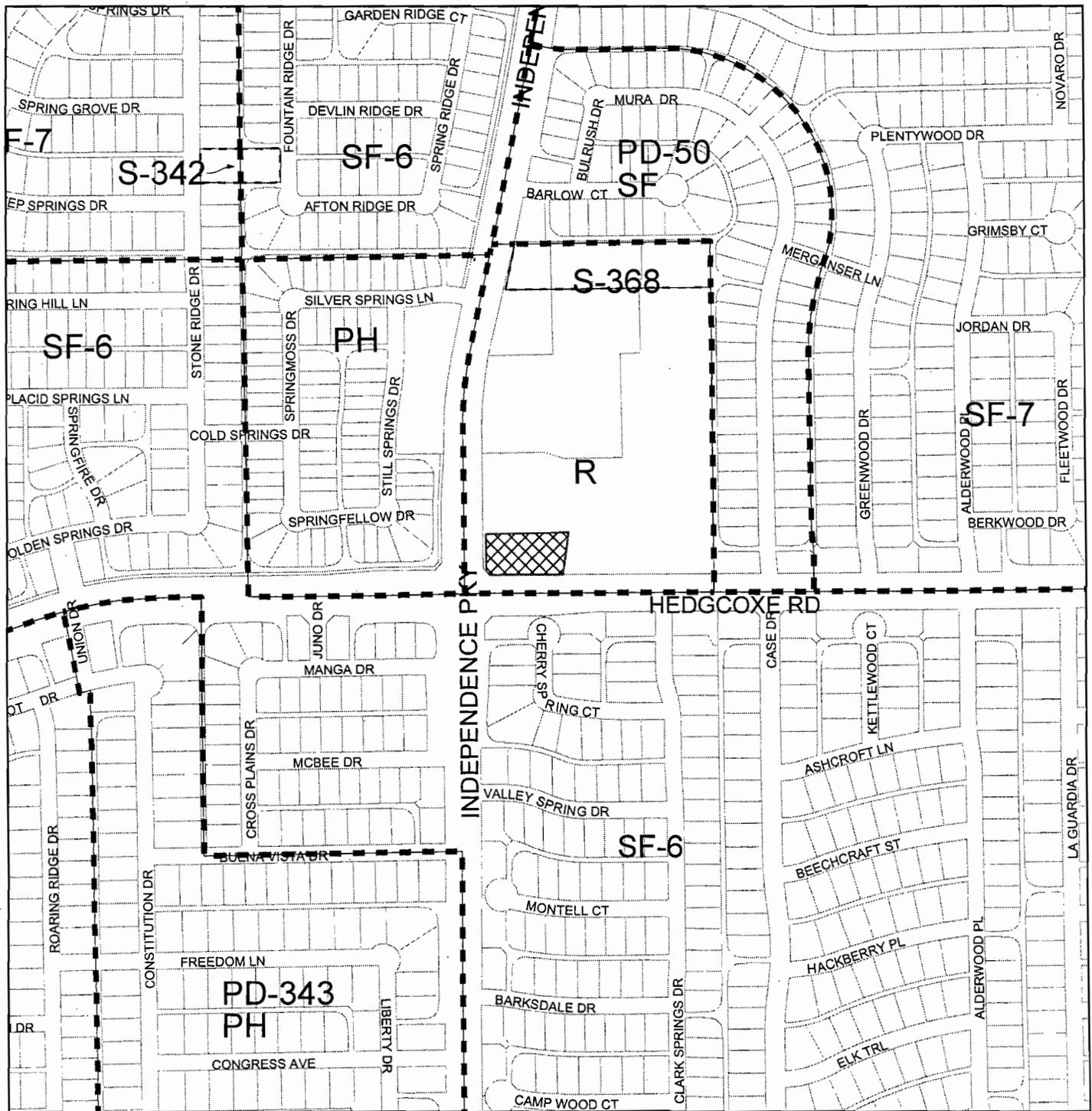
REMARKS:

The purpose of the preliminary replat is to dedicate fire lane, access and utility easements necessary for development.

RECOMMENDATIONS:

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

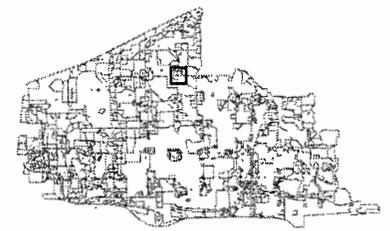
Site Plan: Recommended for approval as submitted.



Item Submitted: PRELIMINARY REPLAT & SITE PLAN

Title: INDEPENDENCE CROSSING
BLOCK A, LOT 2R

Zoning: RETAIL



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

May 7, 2007

Agenda Item No. 10

Preliminary Site Plan: FTK Addition, Block A, Lot 1

Applicant: James Goodman

DESCRIPTION:

Service contractor without outside storage on one lot on 0.8± acre located at the southeast corner of K Avenue and Pecan Lane. Zoned Light Commercial. Neighborhood #22.

REMARKS:

The subject property is 0.8± acre narrow tract of land located at the southeast corner of K Avenue and Pecan Lane. The applicant is proposing to develop the site for service contractor (no outdoor storage) use.

The preliminary site plan proposes a single-story structure with parking in the front and rear of the building. The building, parking, and overhead doors at the rear of the building, are screened from the adjacent neighborhood by a masonry screening wall. Proposed landscaping and landscape edges comply with ordinance standards.

As indicated on the preliminary site plan, the City of Plano is acquiring additional right-of-way for Pecan Lane to facilitate intersection improvements for Pecan Lane at K Avenue. The narrow width of the property, coupled with the additional right-of-way being acquired, limits design opportunities for the site. Therefore, the applicant's plan proposes the following variances to develop the site as requested:

1. Front Yard Setback – The property is a corner lot. For nonresidential development, the Zoning Ordinance requires front yard setbacks be maintained for both frontages of corner lots. The proposed building complies with the 50-foot front yard setback from K Avenue, but does not meet the 50-foot setback from Pecan Lane. The applicant is requesting a variance from the Board of Adjustment (BOA) to reduce the front yard setback to 15 feet.

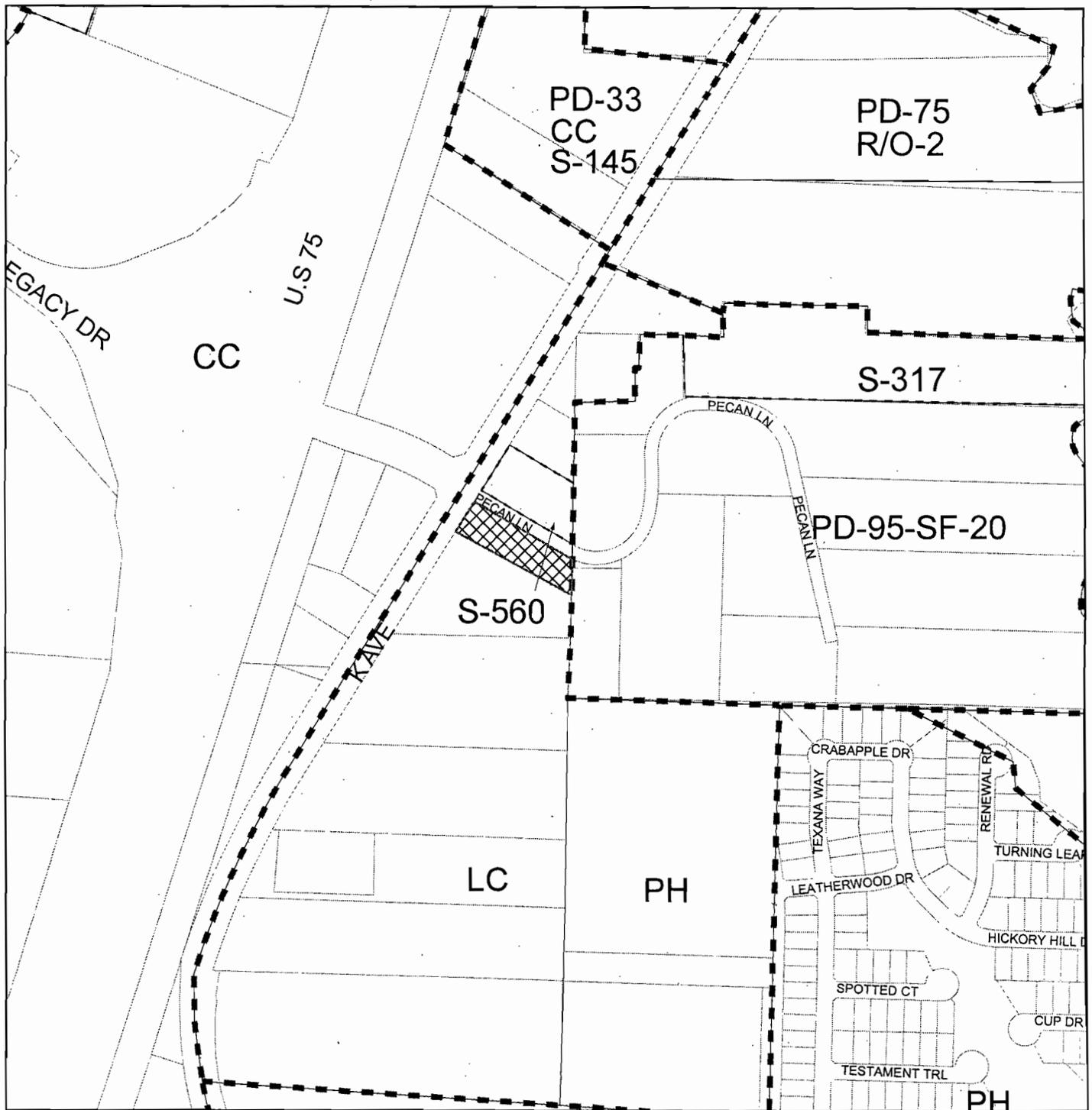
2. Minimum Lot Frontage – The Subdivision Ordinance stipulates that corner lots must have a minimum continuous frontage of 175 feet on all abutting streets. The subject property has approximately 105 feet of frontage along K Avenue thus not meeting the minimum frontage requirement. The applicant is requesting a variance from the Planning & Zoning Commission to waive the minimum lot frontage requirement of the Subdivision Ordinance for the K Avenue frontage.

Staff supports the applicant's variance requests. The narrow site and necessary right-of-way acquisition limit the ability to develop the site. The plan as proposed is a low-impact development that generally complies with the Zoning and Subdivision Ordinance standards.

RECOMMENDATION:

Recommended for approval subject to:

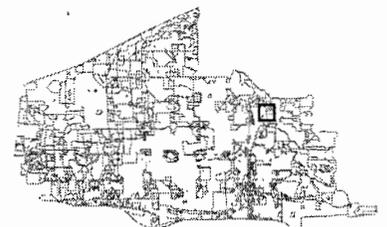
1. BOA granting a variance to reduce the 50-foot front yard setback along Pecan Lane to 15 feet.
2. The Planning & Zoning Commission granting a waiver to the Subdivision Ordinance for minimum lot frontage along K Avenue.



Item Submitted: PRELIMINARY SITE PLAN

Title: FTK ADDITION
BLOCK A, LOT 1

Zoning: LIGHT COMMERCIAL



○ 200' Notification Buffer



CITY OF PLANO
PLANNING & ZONING COMMISSION

May 7, 2007

Agenda No. 11

Discussion and Direction on the Planning & Zoning Commission's Work Program

Applicant: City of Plano

DESCRIPTION:

Discussion and direction on the projects and priorities for the Planning & Zoning Commission's Work Program.

REMARKS:

The Planning & Zoning Commission's work program contains a prioritized list of the special projects that the Commission will be focused on during the year. The work program items are generated from several sources, including Comprehensive Plan recommendations, zoning amendments initiated by either the Commission or City Council, and issues that the Council refers to the Commission for study. Attached is a copy of the work program, with the status of each item noted. Several of the high priority items have been "on-hold" for some time as a result of competing priorities.

Since the Commission's last review, progress has been made on many of the work program items. The update to the Public Services and Facilities, Parks and Recreation and Utilities elements of the Comprehensive Plan were completed and adopted by City Council.

Following is a description of each remaining work program item and comments on the status of each. Some of these items have been on the work program list for some time, and staff would like to obtain the Commission's direction on whether the project should continue to be pursued and its priority.

High Priority

Downtown Architectural Design Guidelines – Create architectural design requirements for new construction and exterior renovation in the downtown area. Status: The Heritage Commission has adopted guidelines for the downtown heritage district. Guidelines for properties outside the heritage district have been on hold.

Comments: The core downtown area along 15th Street and K Avenue is part of the Downtown Plano Heritage District, and the design of new construction and renovations of existing buildings must be approved by the Heritage Commission. After the construction of the two Eastside Village projects, there was interest in developing a set of architectural guidelines for areas outside of the heritage district. These guidelines have not been pursued for a number of reasons. The developers of the two residential projects, 15th Street Village and Rice Field, were willing to meet with area homeowner groups and property owners and allow them to participate in the design process. While the results may not be aesthetically pleasing to all, the process did allow meaningful input by the community without resorting to artificial design standards. There is no predominant architectural style or building material in the downtown area and there are benefits to allowing developers to have the flexibility to meet their project needs. The Business Government District, with its requirements for buildings to be brought up to the street, restrictions on building heights and the location of parking areas, also imposes design controls. Staff recommends that the Commission consider moving this to a lower priority.

Retail Study Implementation Plan – Phase II – As a sequel to the ordinance amendments to the Retail zoning district, continue efforts to assist property owners in identifying institutional and regulatory obstacles to upgrading and redeveloping aging shopping centers. This activity may lead to the creation of incentives. Status: Staff is coordinating efforts with PEDB.

Staff continues to monitor zoning and signage regulations to make sure that they are not obstacles to redevelopment and renovation of aging shopping centers, and to support the conversion of retail zoned land to residential use where appropriate. The City Council also instituted a retail incentive program for “unique” retail opportunities that may come to the city. Aside from these activities, there is not much else that the city can do at this point without creating additional monetary incentive programs. The Commission had recommended to City Council that additional incentive programs should not be considered. Staff recommends that this item be removed from the work program.

Traffic Impact Analysis Ordinance Update – With the pending completion of the city’s thoroughfare system, develop amendments to the traffic impact analysis regulations that recognize the lack of mitigation factors and that focus on site-specific traffic management. Status: On hold. Transportation Engineering staff will be integrally involved in this update.

Comments: The draft update to the Transportation element of the Comprehensive Plan refocuses attention on the need to amend the city’s traffic impact analysis ordinance. This should remain a high priority item.

Mid-Term Priority

Planned Development Zoning Review – Identify, evaluate and amend ten planned development districts judged to be ambiguous or otherwise inadequate to properly regulate development. Status: Staff will be processing numerous rezoning cases to “clean up” or eliminate unneeded planned development districts and to eliminate private club specific use permits for locations that now operate under mixed-beverage permits. Status: This is an on-going project.

Comments: This is an item that staff works on as time and staffing levels permit. It should remain as a mid-term priority.

Parking Garage Façade Design – Develop façade and design requirements for parking structures. Status: The Planning & Zoning Commission has discussed this issue at two worksessions, and given staff direction to develop façade requirements that recognize the additional costs of parking garages over surface parking. This project has been on hold.

Comments: Staff plans to “re-activate” this issue soon. The major issue is the difficulty in developing façade and design requirements for parking garages when there are no corresponding requirements for the main buildings in most zoning districts. This item should be moved to a high-priority classification.

Stormwater Management Plan – The City has entered into an agreement with the Environmental Protection Agency to develop a Storm Water Management Plan. City Council adopted amendments to the Zoning and Subdivision Ordinances in April, 2006 that provide incentives for more stormwater friendly development practices.

Comments: The first phase of this work program item is complete. The next phase of the five year permit will require that the city strengthen its ordinances and development review procedures to require more stringent regulation to protect stormwater quality and reduce stormwater quantity. While there is no immediate action on this item, it should remain as a mid-term priority.

Revisions to Parking Regulations – Review existing parking regulations and devise new standards to address stormwater design issues and to assist in redevelopment requests. Status: The stormwater incentive program placed “soft” caps on parking. A developer may still provide more parking than required, but must provide additional landscaping, pervious paving or other stormwater management techniques. Other revisions to the city’s parking requirements should be considered to encourage redevelopment and to address the increasing complexity of administering the parking requirements when tenants or uses change.

Comments: The number of required parking spaces continues to be a barrier to redevelopment of properties and reoccupancy of individual lease spaces. This is an issue that needs to be addressed. Most parking requirements for suburban style development are based on arbitrary numbers and are designed to accommodate the peak expected use times. Amendments to the parking requirements will probably be coupled with other regulatory changes encourage redevelopment. Staff recommends that this item continue to be a mid-term priority.

Lot Coverage Regulations – Review the maximum lot coverage requirements for single-family development and determine the appropriate percentages and method of calculation. Status: The amendments to the Zoning Ordinance for the stormwater incentive plan combined the lot coverage for the main structure and accessory buildings. This should allow homeowners to continue to add on and invest in their properties, and will make it easier for the Building Inspections department to calculate lot coverage requirements. A remaining issue for consideration is whether or not lot coverage should be increased to address newer housing styles and the increase in house sizes.

Comments: The increase in lot coverage in residential districts as part of the stormwater incentive amendments appears to have also addressed concerns by builders about new “master bedroom down” designs and larger houses. Staff recommends that this item be removed from the work program.

Longer-Term Priority

New Single-Family and Urban Townhouse Zoning Districts – Create a separate zoning district(s) for single-family development to address smaller lots and more flexible regulations for density, lot size, height, setbacks, and other design requirements. Status: This item was added to the work program last year and has been on-hold.

Comments: One of the recommendations of the Infill Housing Study was the creation of a new residential zoning district that would provide some flexibility for smaller lots and new types and styles of housing. This item should remain as a longer-term priority.

New Work Program Items

During the last year the Commission has discussed a number of items and issues for future discussion. These include the following topics:

Sign Ordinance Amendments (especially human signs) – As the Commission knows, parts of the city’s Sign Ordinance are frequently revised to address concerns of tenants or developers, or to address legal issues. The latest example of this is the recent amendment to address signs on multi-story buildings. Staff recommends that an informational training session be scheduled on the sign ordinance to address your questions about human signs and other regulations of concern, and afterward the Commission can decide if you wish to initiate any amendments to the ordinance.

Teardowns and "McMansion" Regulations – While this has been a controversial topic in many cities around the country, including Austin and Dallas, Plano has not yet experienced this phenomenon. Certain market forces and geographic constraints must usually be present for teardowns to become prevalent, and these do not appear to be affecting the market for new housing in Plano just yet. Any regulations developed at this time would likely be premature and not applicable if and when Plano begins to deal with teardowns. As with sign regulations, staff recommends that the Commission spend some time in a worksession discussing this topic before deciding to proceed with the development of regulations.

Landscape and Irrigation Regulations - The recent drought has focused attention on the city's landscape and irrigation regulations. A staff committee is presently reviewing the irrigation requirements and will likely have recommendations to share with the Commission, development community and homeowners shortly.

The city has engaged a consultant to perform an assessment of the Zoning Ordinance and make recommendations on needed updates and amendments to the ordinance's "user friendliness", procedures, graphics and illustrations, definitions and other aspects. The consultants are presently completing their recommendations, many of which will eventually become separate work program items for the Commission.

RECOMMENDATIONS:

Staff asks that the Commission give direction on the priorities of the work program items, and determine if other issues need consideration.

PLANNING & ZONING COMMISSION

WORK PROGRAM

May 2007

Immediate Priority – *These projects should receive priority in scheduling and allocation of staff and budget resources to ensure prompt completion.*

- Comprehensive Plan Update – Ongoing review and updating of the Comprehensive Plan. The updates to the Land Use and Transportation elements are scheduled for this year. **Status: The Planning & Zoning Commission has formulated objectives and strategies, and will review the draft of the revised text later in May.**

High Priority – *These projects should receive priority in scheduling and allocation of staff and budget resources to ensure prompt completion after immediate priority items.*

- Traffic Impact Analysis Ordinance Update – With the pending completion of the city's thoroughfare system, develop amendments to the traffic impact analysis regulations that recognize the lack of mitigation factors and that focus on site-specific traffic management. **Status: On hold. Transportation Engineering staff will be integrally involved in this update.**
- Parking Garage Façade Design – develop façade and design requirements for parking structures. **Status: The Planning & Zoning Commission has discussed this issue at two worksessions, and given staff direction to develop façade requirements that recognize the additional costs of parking garages over surface parking. This project has been on hold.**

Mid-Term Priority – *These projects should be an active part of the Planning & Zoning Commission's work program and completed during FY 06-07. The projects should be delayed only if it is determined to be necessary to complete high priority projects.*

- Planned Development Zoning Review – Identify, evaluate and amend ten planned development districts judged to be ambiguous or otherwise inadequate to properly regulate development. **Status: Staff will be processing numerous rezoning cases to “clean up” or eliminate unneeded planned development districts and to eliminate private club specific use permits for locations that now operate under mixed-beverage permits. This is an on-going project.**

- Revisions to Parking Regulations – Review existing parking regulations and devise new standards to address stormwater design issues and to assist in redevelopment requests. **Status: The stormwater incentive program placed “soft” caps on parking. A developer may still provide more parking than required, but must provide additional landscaping, pervious paving or other stormwater management techniques. Other revisions to the city’s parking requirements should be considered to encourage redevelopment and to address the increasing complexity of administering the parking requirements when tenants or uses change. Status: on hold.**

Longer Term Priority – Work may proceed provided it does not compromise the timely completion of higher priority projects. Projects may be deferred until FY 06-07.

- New Single-Family and Urban Townhouse Zoning Districts – create a separate zoning district(s) for single-family development to address smaller lots and more flexible regulations for density, lot size, height, setbacks, and other design requirements. **Status: This item was added to the work program last year and has been on-hold.**
- Downtown Architectural Design Guidelines – create architectural design requirements for new construction and exterior renovation in the downtown area. **Status: The Heritage Commission has adopted guidelines for the downtown heritage district. Guidelines for properties outside the heritage district are on hold.**
- Stormwater Management Plan – The City has entered into an agreement with the Environmental Protection Agency to develop a Storm Water Management Plan. Several of the provisions of the agreement may require amendments to the comprehensive plan, the zoning and subdivision ordinances, and development review procedures. **Status: The first phase of the city’s regulatory response to the stormwater plan is complete. The permit calls for additional mandatory regulation in the later phases of implementation.**