PLANNING & ZONING COMMISSION

PLANO MUNICIPAL CENTER

1520 K AVENUE

October 20, 2008

ITEM NO.	EXPLANATION	ACTION TAKEN
	6:30 p.m. - Dinner - Planning Conference Room 2E	
	7:00 p.m. - Regular Meeting - Council Chambers	
	The Planning & Zoning Commission may convene into Executive Session pursuant to Section 551.071 of the Texas Government Code to Consult with its attorney regarding posted items in the regular meeting.	
1	Call to Order/Pledge of Allegiance	
2	Approval of Agenda as Presented	
3	Approval of Minutes for the October 6 2008, Planning & Zoning Commission meeting.	
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.	
	CONSENT AGENDA	
5a BM	**Preliminary Site Plan:** Assured 14th Addition, Block A, Lot 1 - Mini-warehouse/public storage on one lot on 9.4± acres located on the south side of 14th Street, 1,820± feet west of Dublin Road. Zoned Planned Development-202-Research/Technology Center. Neighborhood #69. **Applicant: The Assured Group**	
5b BM	**Preliminary Site Plan:** Douglas Otto Middle School, Block A, Lot 1 - Public secondary school on one lot on 22.9± acres located on the west side of Bradshaw Drive, 242± feet south of Plano Parkway. Zoned Research/Technology Center Neighborhood #69. **Applicant: Plano Independent School District**	

5c EH	**Preliminary Site Plan:** Diodes Corporate Headquarters Addition, Block A, Lot 1 - General office building on one lot on 16.0± acres located at the southwest corner of Legacy Drive and Communications Parkway. Zoned Commercial Employment. Neighborhood #15. **Applicant: Diodes, Inc.**	
5d EH	**Revised Conveyance Plat:** Hinckley Addition, Phase II, Block A, Lots 2R & 4 - Two conveyance lots on 3.9± acres located on the south side of Los Rios Drive, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development. Neighborhood #50. **Applicant: John W. Jolly**	
5e EH	**Preliminary Plat:** Daltex-Mapleshade Addition, Block 2, Lot 2 - Hotel on one lot on 2.1± acres located on the south side of Mapleshade Lane 1,500± feet west of Coit Road. Zoned Corridor Commercial. Neighborhood #71. **Applicant: Daltex Mapleshade**	
5f TF	**Conveyance Plat:** Lakeside Market, Phase 2, Block A, Lots 1 & 2 - Two conveyance lots on 22.3± acres located at the southwest corner of Spring Creek Parkway and Preston Road. Zoned Planned Development-447-Retail/Multifamily Residence-2. Neighborhood #31. **Applicant: LSM Land Partners, LP**	
5g BM	**Final Plat:** Coit Center, Block A, Lot 7 - Bank on one lot on 1.3± acres located at the northeast corner of Coit Road and Mapleshade Lane. Zoned Corridor Commercial/190 Tollway/Plano Parkway Overlay District. Neighborhood #72. **Applicant: Bank of Texas, N.A.**	
	END OF CONSENT AGENDA	
	PUBLIC HEARINGS	
6 BM	**Public Hearing:** Zoning Case 2008-67 - Request for Specific Use Permit for Day Care Center on one lot on 0.4± acre located on the south side of Legacy Drive, 270± feet west of Coit Road. Zoned Retail. **Applicant: QD Recreation Academy**	
7A EH	**Public Hearing:** Zoning Case 2008-69 - Request for a Specific Use Permit for Day Care Center on one lot on 1.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development. **Applicant: John W. Jolly**	
7B EH	**Preliminary Site Plan & Concept Plan:** Hinckley Addition, Phase II, Block A, Lots 2R & 4 - Day care center and religious facility on two lots on 3.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development. Neighborhood #50. **Applicant: John W. Jolly**	

8A TF	**Public Hearing:** Zoning Case 2008-68 - Request to rezone 58.4± acres located at the southwest corner of Preston Road and Spring Creek Parkway **from** Planned Development-447-Retail/Multifamily Residence-2 **to** Planned Development-Retail. Zoned Planned Development-447-Retail/Multifamily Residence-2. **Applicant: City of Plano**	
8B TF	**Revised Concept Plan:** Lakeside Market, Phases 1 & 2 - Multi-use development on seven lots on 49.5± acres located at the southwest corner of Preston Road and Spring Creek Parkway. Zoned Planned Development-447- Retail/Multifamily Residence-2. Neighborhood #31. **Applicant: LSM Center Partners, LP**	
9 TF	**Public Hearing:** Zoning Case 2008-70 - Request to rezone 12.0± acres located on the east side of Bay Water Drive, 230± feet south of Spring Creek Parkway **from** Planned Development-447-Retail/Multifamily Residence-2 **to** Multifamily Residence-2. Zoned Planned Development-447-Retail/Multifamily Residence-2. **Applicant: City of Plano**	
10 TF	**Public Hearing:** Zoning Case 2008-71 - 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**	
	END OF PUBLIC HEARINGS	
11	**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

October 20, 2008

Agenda Item No. 5a
Preliminary Site Plan: Assured 14th Addition, Block A, Lot 1
Applicant: The Assured Group

Mini-warehouse/public storage on one lot on 9.4± acres located on the south side of 14th Street, 1,820± feet west of Dublin Road. Zoned Planned Development-202-Research/Technology Center. Neighborhood #69.

Recommended for approval subject to the Fire Department granting a variance to the 150-foot hose lay length requirement for buildings O, N, and K.

Agenda Item No. 5b
Preliminary Site Plan: Douglas Otto Middle School, Block A, Lot 1
Applicant: Plano Independent School District

Public secondary school on one lot on 22.9± acres located on the west side of Bradshaw Drive, 242± feet south of Plano Parkway. Zoned Research/Technology Center Neighborhood #69.

Recommended for approval subject to acquisition of off-site fire lane, access, and utility easement from Canyon Creek Presbyterian Church to the south.

Agenda Item No. 5c
Preliminary Site Plan: Diodes Corporate Headquarters Addition, Block A, Lot 1
Applicant: Diodes, Inc.

General office building on one lot on 16.0± acres located at the southwest corner of Legacy Drive and Communications Parkway. Zoned Commercial Employment. Neighborhood #15.

Recommended for approval as submitted.

Agenda Item No. 5d
Revised Conveyance Plat: Hinckley Addition, Phase II, Block A, Lots 2R & 4
Applicant: John W. Jolly

Two conveyance lots on 3.9± acres located on the south side of Los Rios Drive, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development. Neighborhood #50.

The purpose for this revised conveyance plat is to subdivide lot 2R into two lots and dedicate easements.

Recommended for approval as submitted.

Agenda Item No. 5e
Preliminary Plat: Daltex-Mapleshade Addition, Block 2, Lot 2
Applicant: Daltex Mapleshade

Hotel on one lot on 2.1± acres located on the south side of Mapleshade Lane 1,500± feet west of Coit Road. Zoned Corridor Commercial. Neighborhood #71.

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

Agenda Item No. 5f
Conveyance Plat: Lakeside Market, Phase 2, Block A, Lots 1 & 2
Applicant: LSM Land Partners, LP

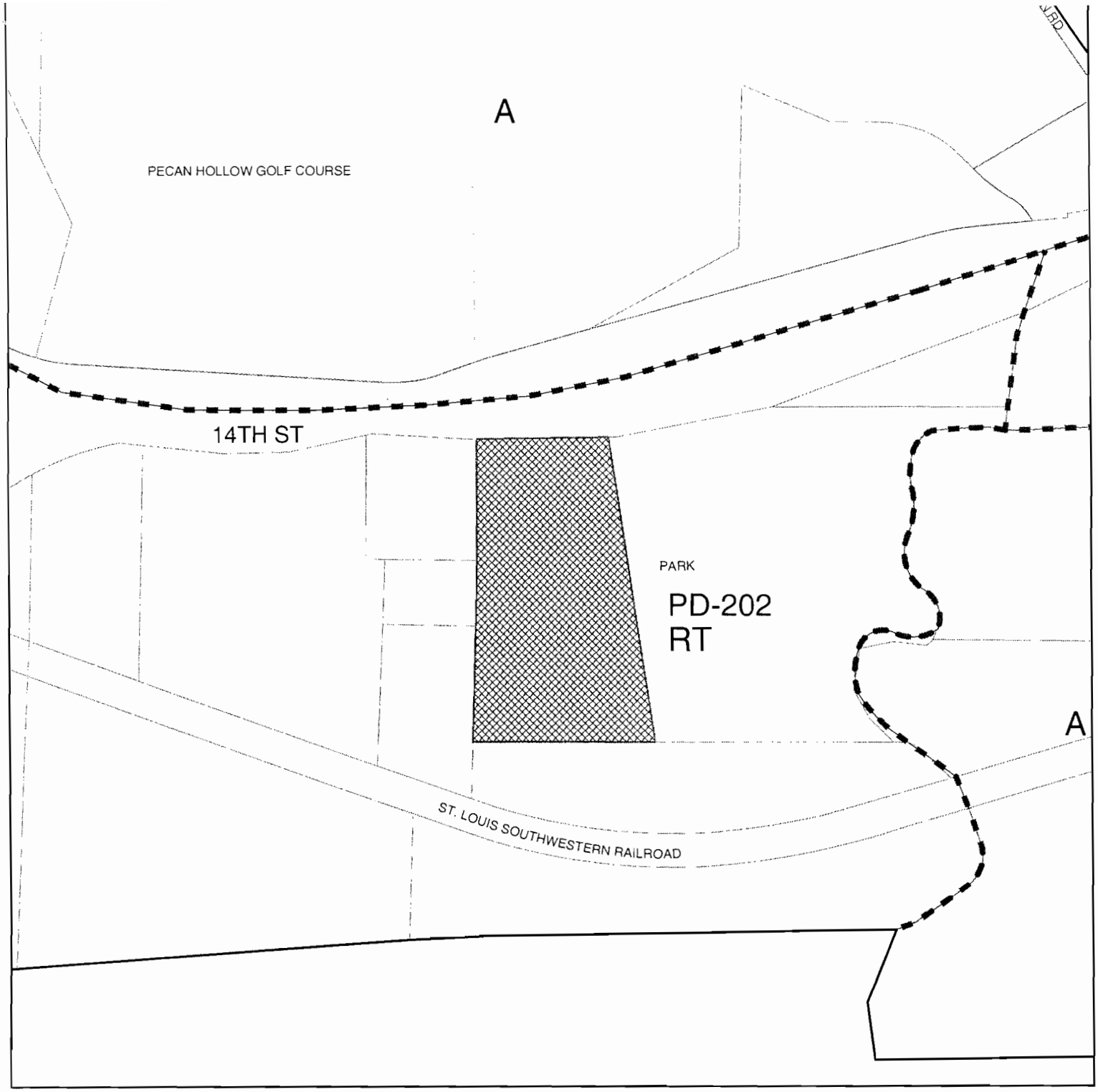
Two conveyance lots on 22.3± acres located at the southwest corner of Spring Creek Parkway and Preston Road. Zoned Planned Development-447-Retail/Multifamily Residence-2. Neighborhood #31.

Recommended for approval as submitted.

Agenda Item No. 5g
Final Plat: Coit Center, Block A, Lot 7
Applicant: Bank of Texas, N.A.

Bank on one lot on 1.3± acres located at the northeast corner of Coit Road and Mapleshade Lane. Zoned Corridor Commercial/190 Tollway/Plano Parkway Overlay District. Neighborhood #72.

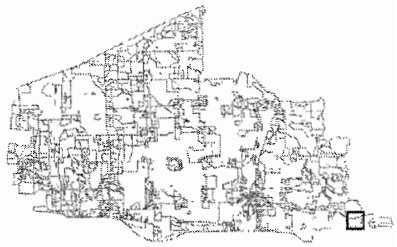
Recommended for approval as submitted.



Item Submitted: PRELIMINARY SITE PLAN

Title: ASSURED 14TH ADDITION
BLOCK A, LOT 1

Zoning: PLANNED DEVELOPMENT-202-
RESEARCH/TECHNOLOGY CENTER



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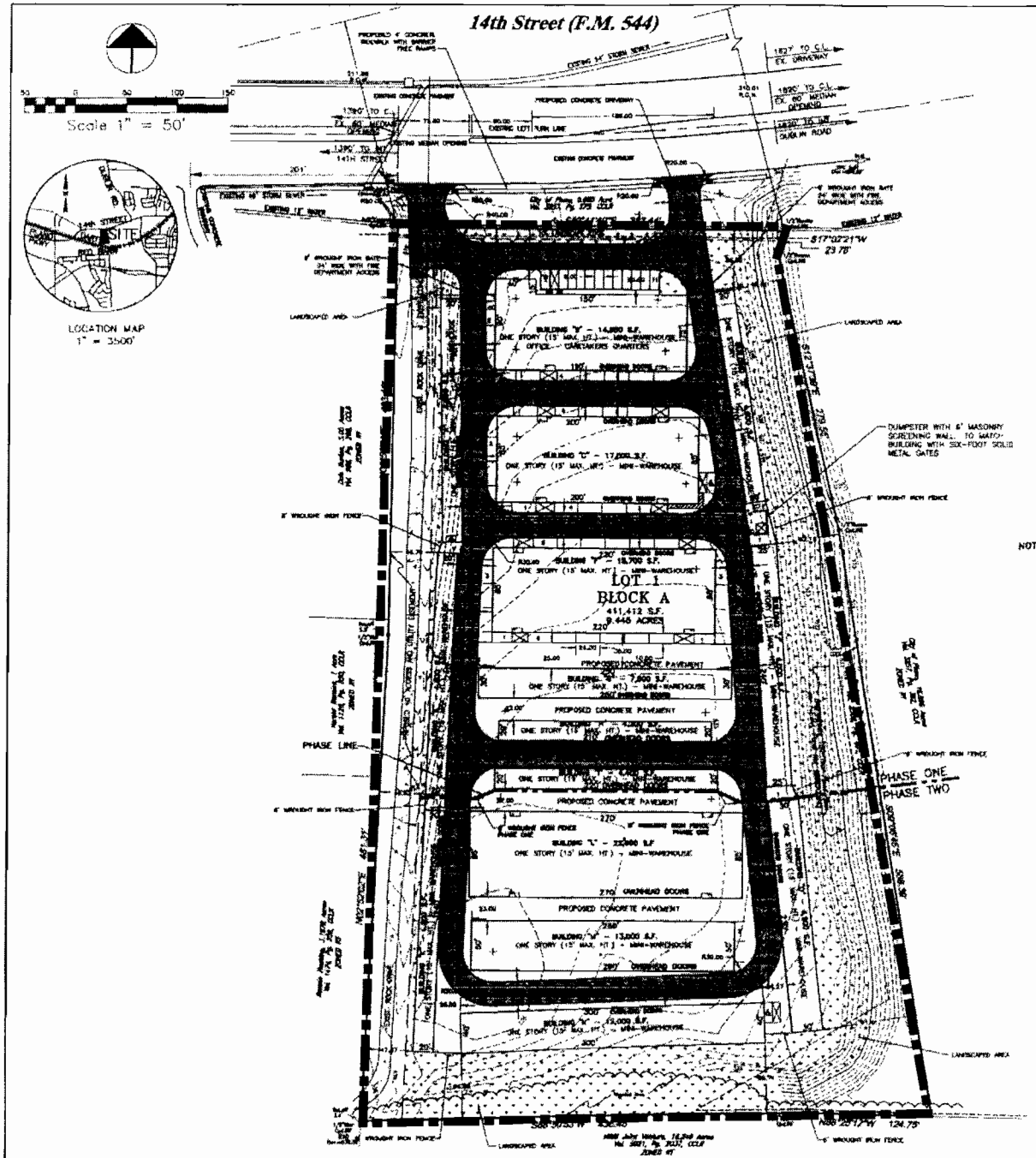


NOTE: SANITARY SEWER TO BE PRIVATE SYSTEM

Site Data Summary Table

General Site Data	
Zoning (from zoning map)	IH
Land Use (from zoning ordinance)	MINI-WAREHOUSE
Lot Area (square feet & acres)	411,412 S.F. - 9.445 ACRES
Building Footprint Area (square feet)	146,500 S.F. (MI,650 S.F. PH. 1)
Total Building Area (square feet)	146,500 S.F.
Building Height (# stories)	ONE STORY
Building Height (feet - distance to tallest building element)	15'
Lot Coverage (percent - x.xx%)	35.61%
Floor Area Ratio (ratio - x.xx:1)	0.356:1
Parking	
Parking Ratio (from zoning ordinance)	1 per 20 Storage Units (970 UNITS)
Required Parking Office (#spaces)	2 spaces
Required Parking Caretakers Quarters (#spaces)	2 spaces
Required Parking Storage (# spaces)	49 spaces
Total Required Parking	54 spaces
Provided Parking (# spaces)	54 spaces
Accessible Parking Required (# spaces)	2 spaces
Accessible Parking Provided (#spaces)	3 spaces
Parking in Excess of 110% of Required Parking (# spaces)	0
Landscape Area (including turf areas)	71,823 S.F.
Landscape Edge Area Provided (square feet)	2,112 S.F.
Required exterior landscape area (parking lot landscaping) (square feet)	344 S.F.
Additional interior landscape area provided (square feet)	2,870 S.F.
Other Landscape Area within the lot including Storm Water Conservation Areas (square feet)	27,223 S.F. (FLOOD PLAIN)
Total Landscape Area (square feet)	104,372 S.F.
Permeable Area (not including landscaping or turf areas)	0
Permeable Pavement (square feet)	0
Other Permeable Area within the lot not including landscaping or turf areas (square feet)	33,050 S.F. - in access easement
Total Permeable Area (square feet)	137,422 S.F.
Impervious Area	
Building Footprint Area (square feet)	146,500 S.F.
Area of Sidewalks, Pavement & other Impervious Flatwork (square feet)	127,290 S.F.
Other Impervious Area	0
Total Impervious Area	273,790 S.F.
Sum of Total Landscape Area + Total Permeable Area + Total Impervious Area (square feet) Note: Sum must equal Lot Area	411,412 S.F.
Total Impervious Area	273,790 S.F.
Less R.O.W. Impervious Area Credit	0
PROJECT Impervious Area	273,790 S.F.

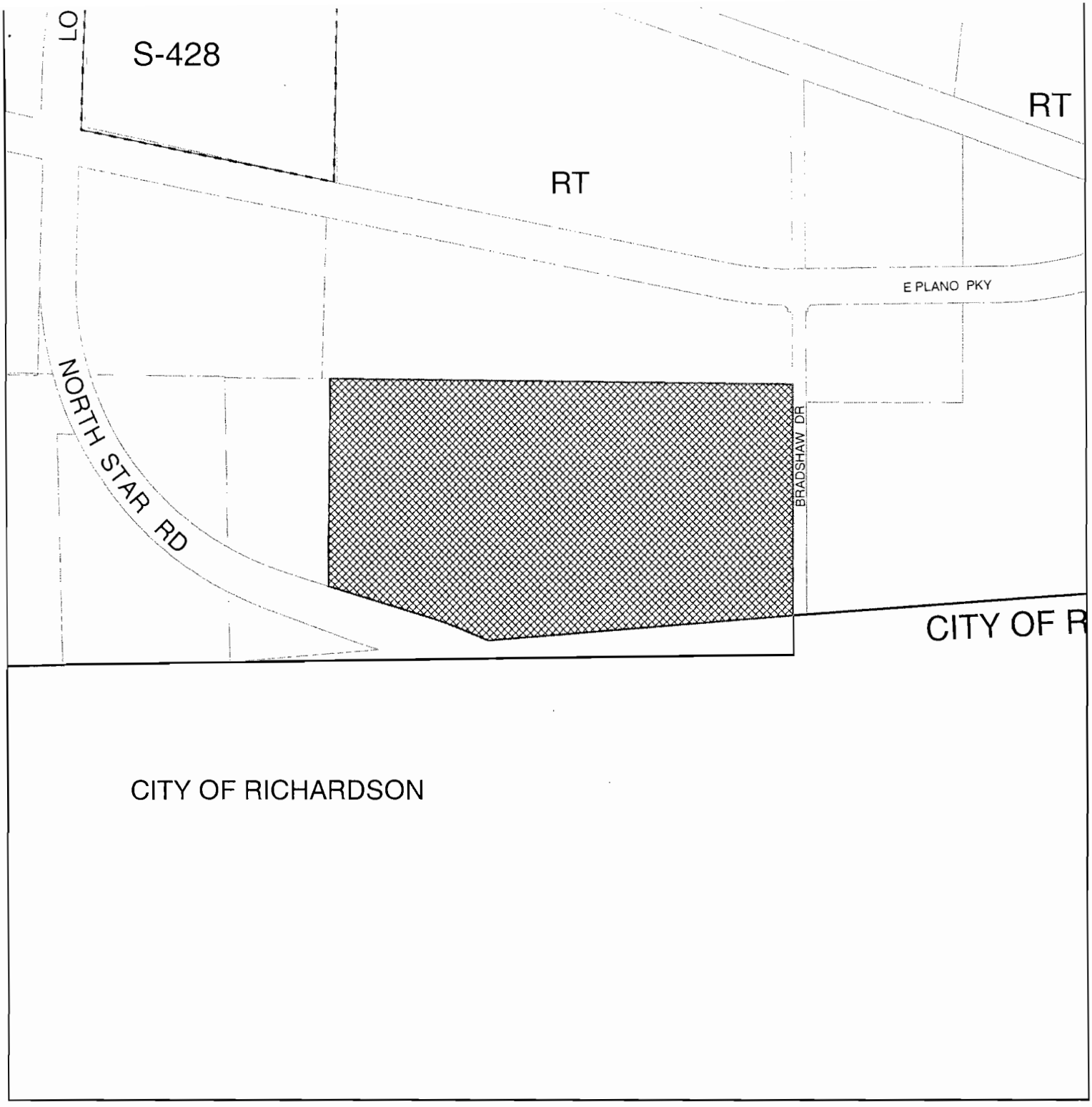
GENERAL NOTES:

1. BUILDINGS 6,000 SF OR GREATER SHALL BE 100% FIRE SPRINKLED.
2. FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS.
3. HANDICAPPED PARKING AREAS SHALL BE DESIGNED AND PROVIDED PER CITY STANDARDS AND SHALL COMPLY WITH REQUIREMENTS OF THE CURRENT, ADOPTED INTERNATIONAL BUILDING CODE.
4. FOUR-FOOT WIDE SIDEWALKS SHALL BE PROVIDED 2'-5 1/2" OFF OF THE PROPERTY LINE WITHIN THE RIGHTS OF WAY, UNLESS A SIDEWALK EASEMENT IS PROVIDED FOR A MEANDERING SIDEWALK OR AN ALTERNATIVE DESIGN IS APPROVED BY THE CITY. BARRIER FREE RAMPS, PER CITY STANDARDS, SHALL BE PROVIDED ON SIDEWALKS AT ALL CURB CROSSINGS.
5. MECHANICAL UNITS, DUMPSTERS AND TRASH COMPACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
6. ALL SIGNAGE CONTINGENT UPON APPROVAL BY BUILDING INSPECTION DEPARTMENT.
7. APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED.
8. OPEN STORAGE, WHERE PERMITTED, SHALL BE SCREENED IN ACCORDANCE WITH THE ZONING ORDINANCE.
9. BUILDING FACADES WITHIN THIS DEVELOPMENT SHALL BE COMPATIBLE, AS PROVIDED IN THE RETAIL CORRIDOR DESIGN GUIDELINES.
10. OUTDOOR LIGHTING SHALL COMPLY WITH ILLUMINATION STANDARDS WITHIN SECTION 6-466 OF THE CODE OF ORDINANCES.
11. PLEASE CONTACT THE BUILDING INSPECTION DEPARTMENT TO DETERMINE THE TYPE OF CONSTRUCTION AND OCCUPANCY GROUP.
12. ALL ELECTRICAL TRANSMISSION, DISTRIBUTION, AND SERVICE LINES MUST BE UNDERGROUND WHERE PRACTICABLE.
13. USES SHALL CONFORM IN OPERATION, LOCATION, AND CONSTRUCTION TO THE FOLLOWING PERFORMANCE STANDARDS IN SECTION 3.1300 OF THE ZONING ORDINANCE: NOISE, SMOKE AND PARTICULATE MATTER, TOXIOUS MATTER, FIRE OR EXPLOSIVE MATERIAL, TOXIC AND NOXIOUS MATTER, VIBRATION, AND/OR OTHER PERFORMANCE STANDARDS.

OWNER:
DON VALK
5613 BLUEBIRD AVENUE
DALLAS, TEXAS 75237
(214) 623-9333
(214) 623-9330 FAX

ENGINEER:
WALTER NELSON
5613 BLUEBIRD AVENUE
DALLAS, TEXAS 75237
(214) 623-9333
(214) 623-9330 FAX

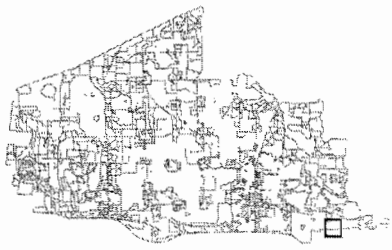
PRELIMINARY SITE PLAN
ASSURED 14th ADDITION
LOT 1, BLOCK A
CONTAINING 9.445 ACRES OF LAND
IN THE CITY OF PLANO,
COLLIN COUNTY, TEXAS
M.R. FOSTER SURVEY, ABSTRACT NO 332
OCTOBER 10, 2008



Item Submitted: PRELIMINARY SITE PLAN

Title: DOUGLAS OTTO MIDDLE SCHOOL
BLOCK A, LOT 1

Zoning: RESEARCH/TECHNOLOGY CENTER



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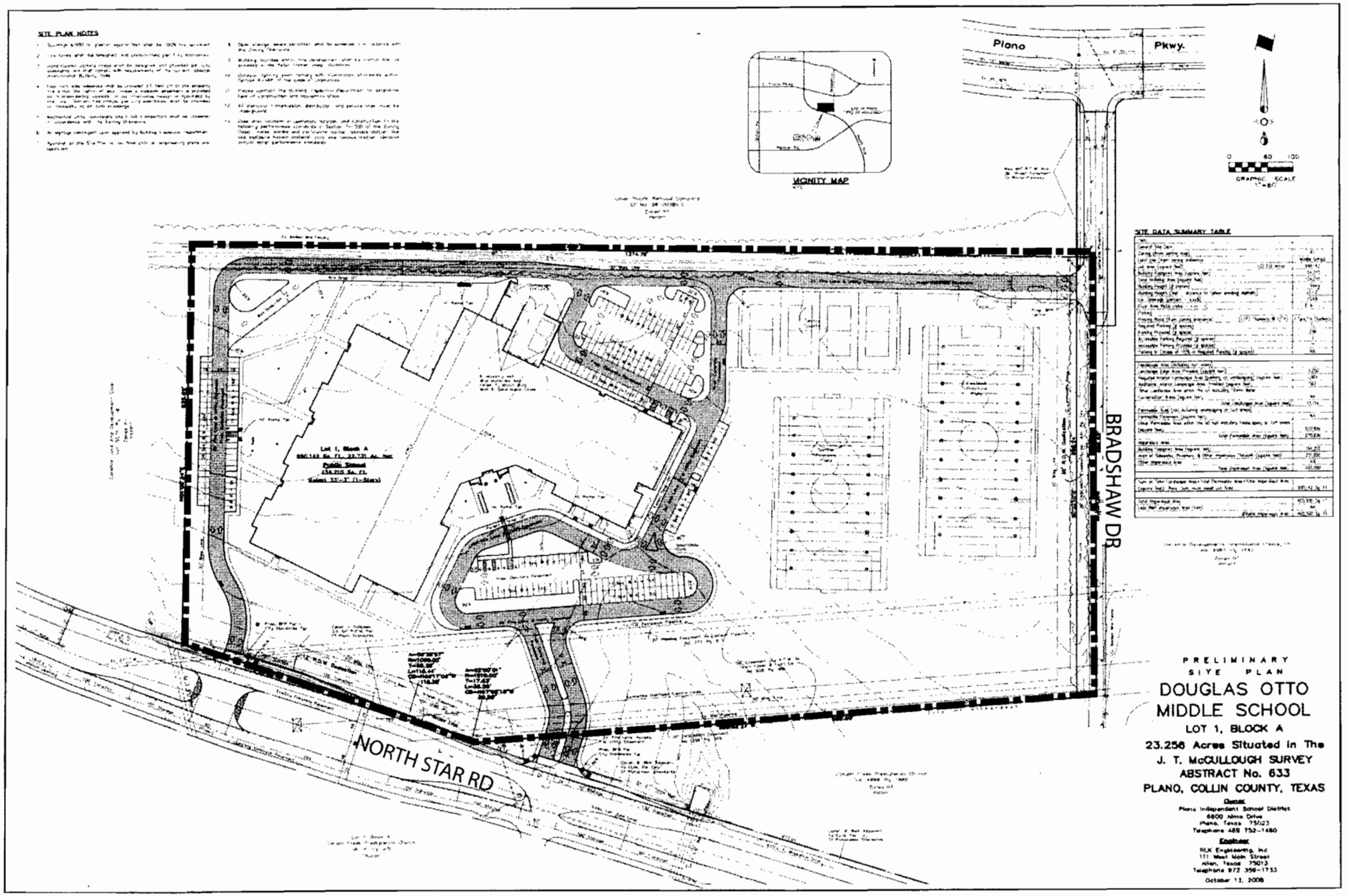
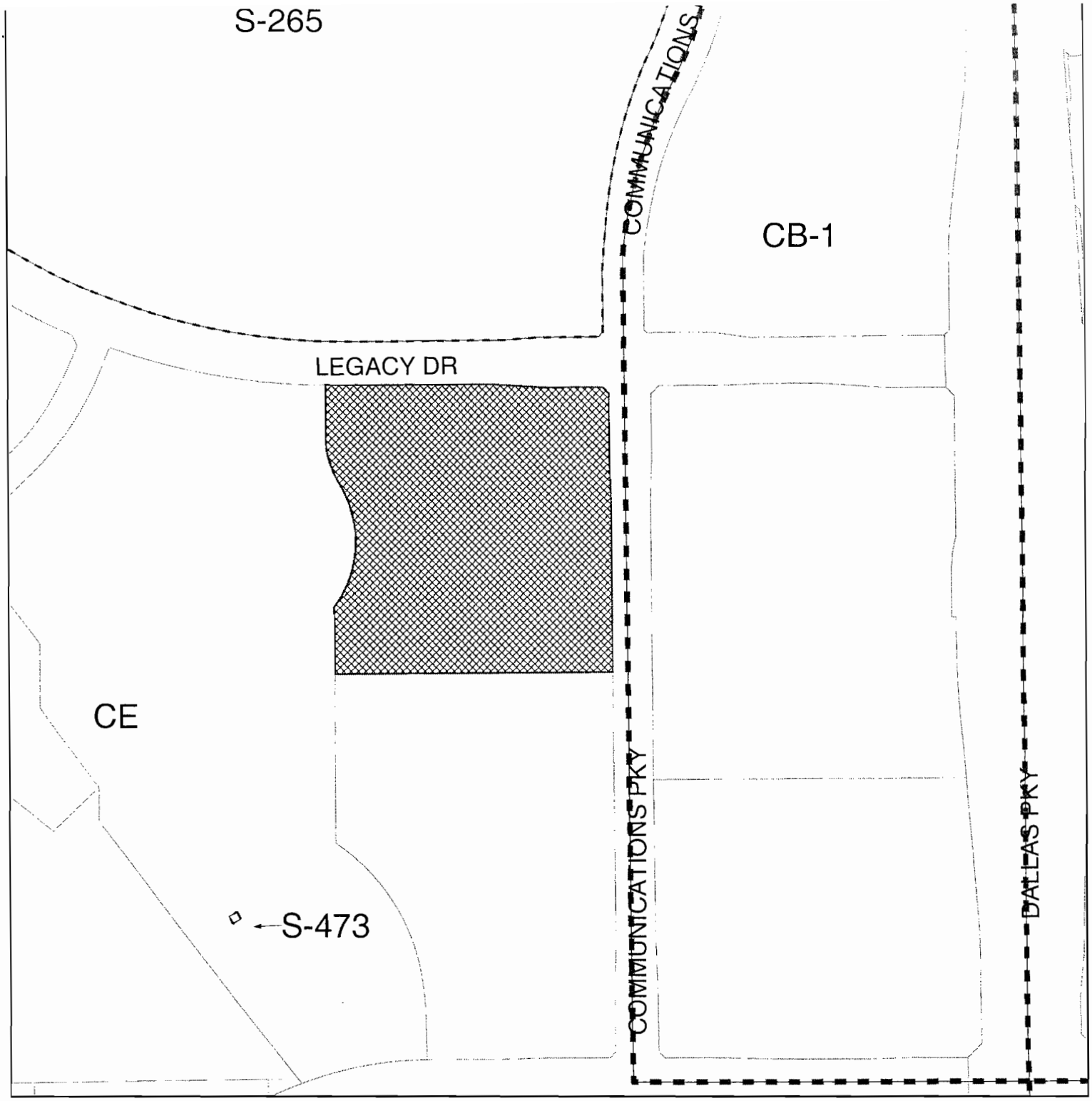
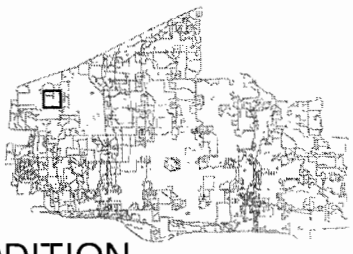

SITE PLAN NOTES
VICINITY MAP
Plano
Pkwy.
BRADSHAW DR
NORTH STAR RD
Lot 1, Block A
Public School
156,210 Sq. Ft.
(Patent 33'-3" (1-Story)
SITE DATA SUMMARY TABLE
PRELIMINARY
SITE PLAN
DOUGLAS OTTO
MIDDLE SCHOOL
LOT 1, BLOCK A
23.256 Acres Situated In The
J. T. McCULLOUGH SURVEY
ABSTRACT No. 633
PLANO, COLLIN COUNTY, TEXAS
Owner
Plano Independent School District
6800 Alma Drive
Plano, Texas 75023
Telephone 469 752-1480
Engineer
RLK Engineering, Inc
111 West Main Street
Allen, Texas 75013
Telephone 972 359-1733
October 13, 2006



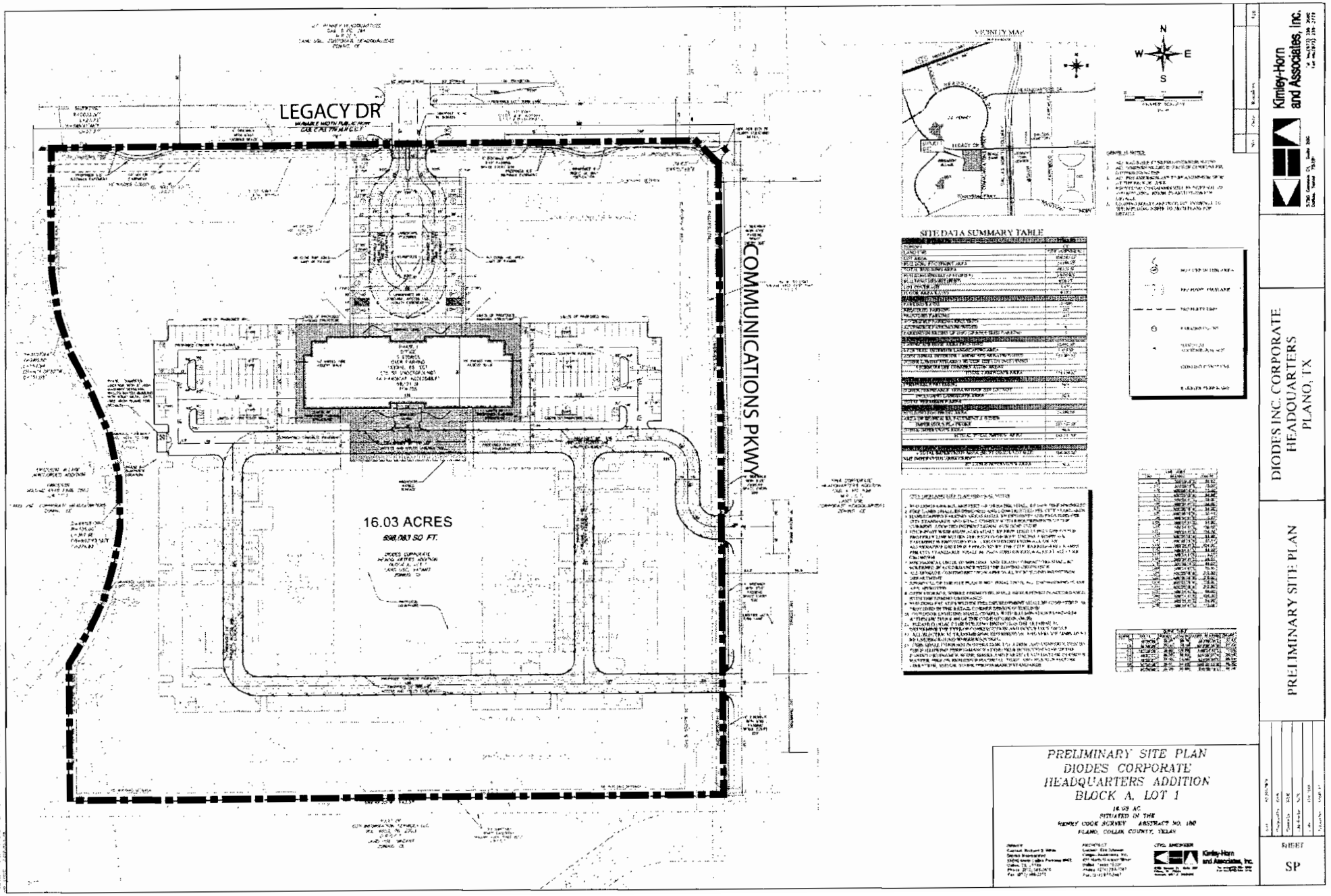


Item Submitted: PRELIMINARY SITE PLAN

Title: DIODES CORPORATE HEADQUARTERS ADDITION
BLOCK A, LOT 1

Zoning: COMMERCIAL EMPLOYMENT

○ 200' Notification Buffer



PRELIMINARY SITE PLAN
DIODES CORPORATE
HEADQUARTERS ADDITION
BLOCK A, LOT 1

16.03 AC
SITUATED IN THE
HENRY COOK SURVEY ABSTRACT NO. 180
PLANO, COLLIN COUNTY, TEXAS

OWNER

ARCHITECT

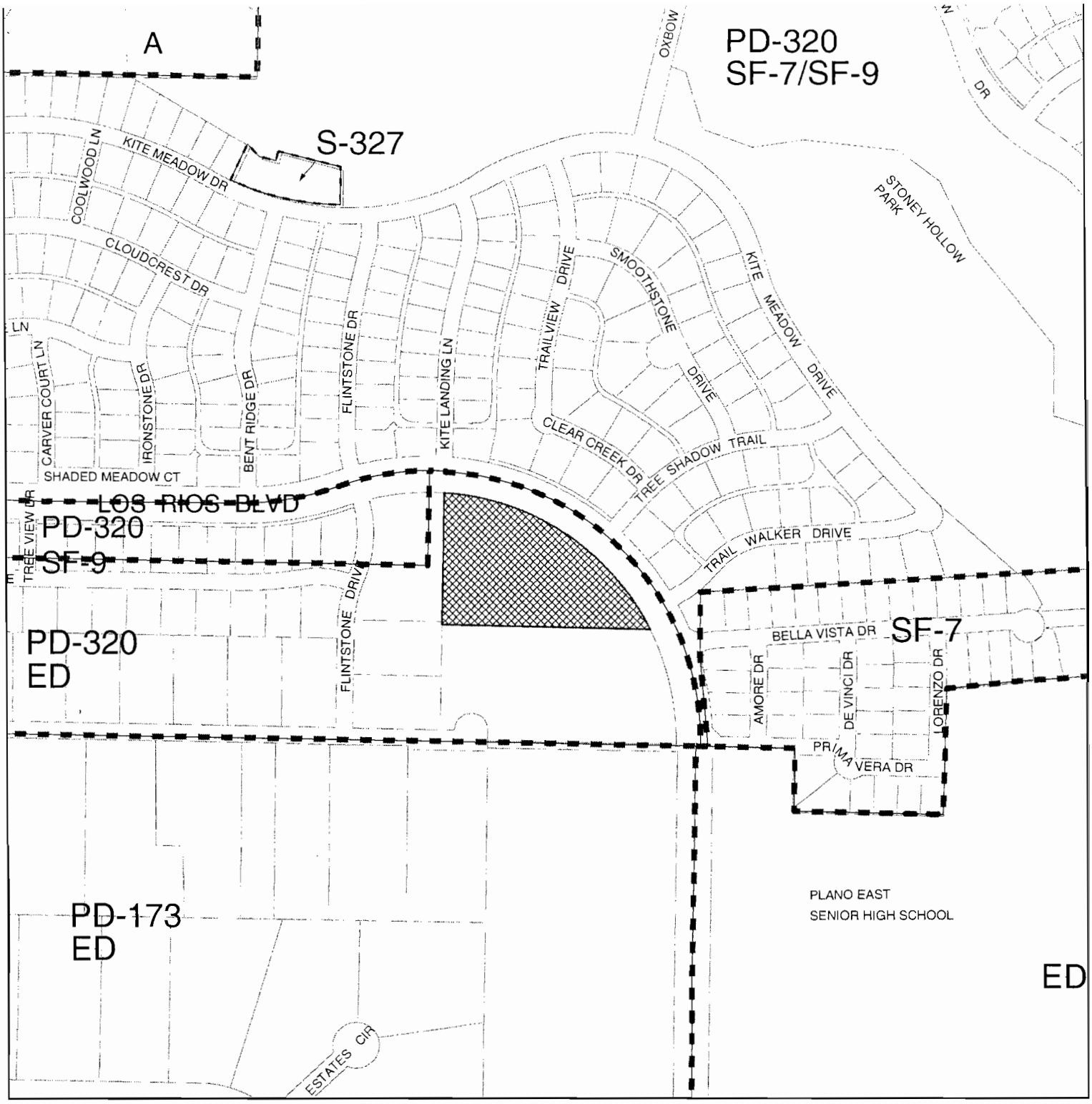
CIVIL ENGINEER
Kimley-Horn and Associates, Inc.

Kimley-Horn and Associates, Inc.

DIODES INC. CORPORATE HEADQUARTERS
PLANO, TX

PRELIMINARY SITE PLAN

SHEET
SP

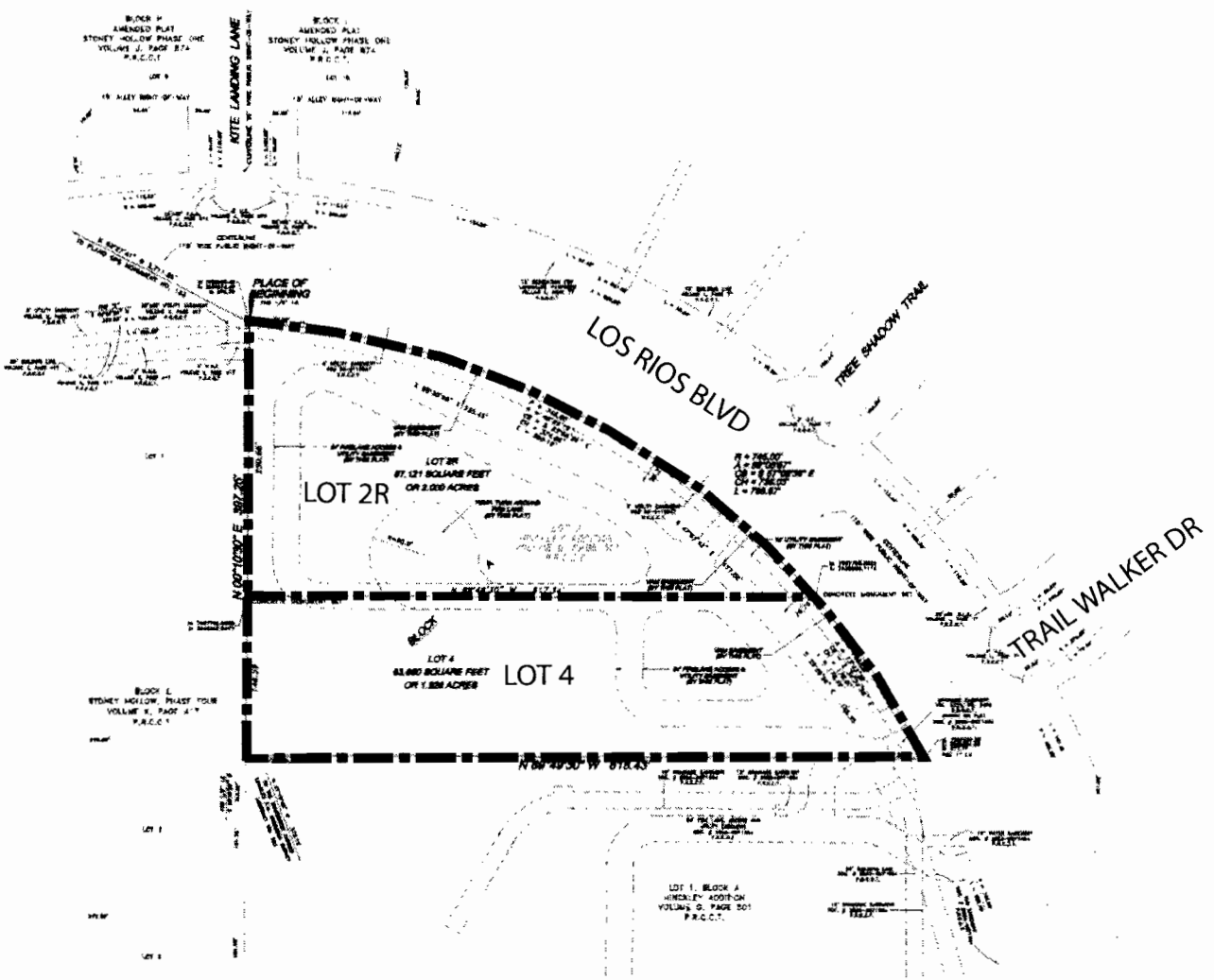


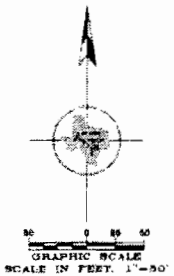
Item Submitted: REVISED CONVEYANCE PLAT

Title: HINCKLEY ADDITION, PHASE II
BLOCK A, LOTS 2R & 4

Zoning: PLANNED DEVELOPMENT-320-ESTATE DEVELOPMENT

◯ 200' Notification Buffer





NOTES:

A conveyance plat is a record of property approved by the city for the purpose of sale or conveyance in its entirety or interest therein defined. No building permit shall be issued nor permanent public utility services provided until a final plat is approved, filed of record, and public improvements accepted in accordance with the procedures of the Subdivision Ordinance of the City of Plano. Selling a portion of this property by metes and bounds, except as shown on an approved, filed and accepted conveyance plat, final plat or replat is a violation of the city ordinance and State Law.

Analytical Surveys, Inc.
"Exceptional Professional Land Surveyors"

REVISED CONVEYANCE PLAT
HINCKLEY ADDITION PHASE II
LOTS 2R AND 4, BLOCK A
171,001 SQUARE FEET OR
3.926± ACRES OF LAND
A REVISION OF
HINCKLEY ADDITION, CONVEYANCE PLAT, LOT 4, BLOCK A
VOLUME G, PAGE 301 - P.R.C.C.T.
CHARLES P.M. GOODBRIN SURVEY
ABSTRACT NO. 323
CITY OF PLANO, COLLIN COUNTY, TEXAS
Preparation Date: 06-26-08

STATE OF TEXAS
COUNTY OF COLLIN

OWNER'S CERTIFICATE

WHEREAS, JOHN W. JOLLY AND JON H. JOLLY, ARE THE OWNERS OF A TRACT OF LAND IN THE CHARLES F.M. GOODERIN SURVEY, ABSTRACT NO. 353, COLLIN COUNTY, TEXAS, BEING ALL OF LOT 2, BLOCK A OF HINCKLEY ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 0, PAGE 501, PLAT RECORDS, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND FOR CORNER IN THE SOUTHERLY, RADIAL LINE OF LOS RIOS DRIVE, A 110 FOOT WIDE PUBLIC RIGHT-OF-WAY, AT THE NORTHEAST CORNER OF LOT 1, BLOCK E OF STONEY HOLLOW, PHASE FOUR, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME K, PAGE 417, PLAT RECORDS, COLLIN COUNTY, TEXAS, SAME BEING THE MOST NORTHERLY CORNER OF SAID LOT 2, BLOCK A AND BEING IN A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF [illegible], A RADIUS OF [illegible] FEET AND A CHORD BEARING AND DISTANCE OF SOUTH [illegible] EAST, [illegible] FEET, FROM WHICH CITY OF PLANO GPS MONUMENT NO. 133 BEARS NORTH [illegible] WEST, A DISTANCE OF [illegible] FEET;

THENCE SOUTHEASTERLY, ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF [illegible] FEET TO A 1" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 1, BLOCK A OF SAID HINCKLEY ADDITION, SAME BEING THE MOST EASTERLY CORNER OF SAID LOT 2, BLOCK A;

THENCE NORTH [illegible] WEST, A DISTANCE OF [illegible] FEET TO A 1/2" IRON ROD FOUND FOR CORNER IN THE EAST LINE OF LOT 2 OF SAID BLOCK E, STONEY HOLLOW, PHASE FOUR, SAME BEING THE NORTHWEST CORNER OF SAID LOT 1 AND THE SOUTHWEST CORNER OF SAID LOT 2 OF SAID BLOCK A;

THENCE NORTH [illegible] EAST, A DISTANCE OF [illegible] FEET TO THE PLACE OF BEGINNING AND CONTAINING 171,001 SQUARE FEET OR 3.926 ACRES OF LAND.

STATE OF TEXAS
COUNTY OF COLLIN
CITY OF PLANO

OWNER'S DEDICATION

Now, therefore, know all men by these presents:

That John W. Jolly and Jon H. Jolly, acting herein by and through it's duly authorized officer, does adopt this plat designating the hereinabove described property as *HINCKLEY ADDITION PHASE II*, an addition to City of Plano, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. [illegible]

Access Easements

The undersigned covenants and agrees that the access easement(s) may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of general public vehicular and pedestrian use and access, and for the Fire Department, Police and emergency use in, along, upon and across said premises, with the right and privilege at all times of the City of Plano, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises.

Fire Lane Easements

The undersigned covenants and agrees that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface [illegible] "Fire Lane, No Parking". The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use.

This plat is approved subject to all platting ordinances, regulations and resolutions of the City of Plano, Texas.

Witness my hand this the ____ day of __________, 2008.

____
John W. Jolly, Owner

____
Printed name and title

____
Jon H. Jolly, Owner

____
Printed name and title

STATE OF TEXAS
COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

Before me, the undersigned, a Notary Public in and for said county and state, on this day personally appeared John W. Jolly, 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 considerations herein expressed.

Given under my hand and seal of office this ____ day of ________, 2008.

____
Notary Public in and for The State of Texas.

STATE OF TEXAS
COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

Before me, the undersigned, a Notary Public in and for said county and state, on this day personally appeared Jon H. Jolly, 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 considerations herein expressed.

Given under my hand and seal of office this ____ day of ________, 2008.

____
Notary Public in and for The State of Texas.

STATE OF TEXAS
COUNTY OF COLLIN

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, John S. Turner, do hereby certify that I prepared this plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Plano, Texas.

RELEASED 9-29-08 FOR REVIEW PURPOSES ONLY. PRELIMINARY. THIS DOCUMENT SHALL NOT BE FILED FOR ANY PURPOSES.

____
John S. Turner, R.P.L.S. 5310

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned, a Notary Public in and for said county and state on this day personally appeared John S. Turner, R.P.L.S. No. 5310, State of Texas, 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 considerations herein expressed.

Given under my hand and seal of office this ____ day of ________, 2008.

____
Notary Public in and for The State of Texas.

CERTIFICATE OF APPROVAL

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

____
Chairman, Planning & Zoning Commission

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for said county and state, 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 purpose and consideration thereof expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE
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 said county and state, 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 purpose and consideration thereof expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE
THIS ____ DAY OF ____________, 2008.

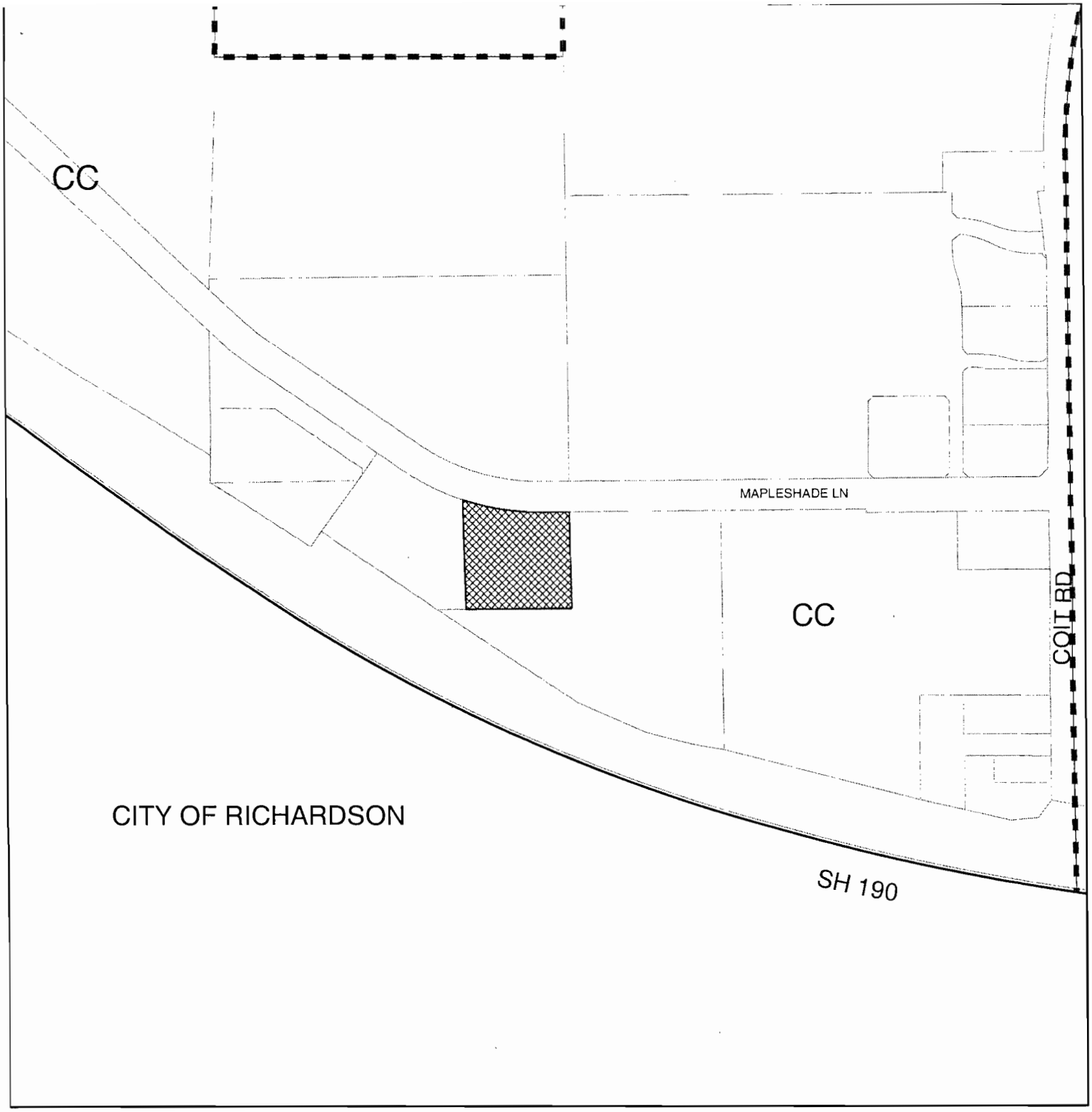
____
NOTARY PUBLIC in and for the STATE OF TEXAS

A conveyance plat is a record of property approved by the city for the purpose of sale or conveyance in its entirety or interest thereon defined. No building permit shall be issued nor permanent public utility service provided until a final plat is approved, filed of record, and public improvements accepted in accordance with the provisions of the Subdivision Ordinance of the City of Plano. Selling a portion of this property by metes and bounds, except as shown on an approved, filed and accepted conveyance plat, final plat or replat is a violation of the city ordinance and State Law.

Analytical Surveys, Inc.
"Registered Professional Land Surveyors"
[illegible]
John S. Turner R.P.L.S. 5310

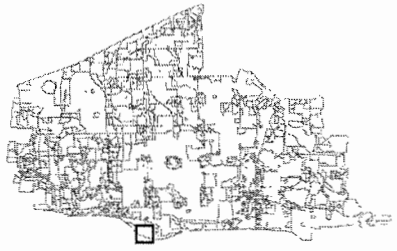
Owner: ~ John W. and Jon H. Jolly ~ [illegible] ~ Richardson, Texas [illegible] (214) [illegible] ~
Job No.: [illegible] | Drawn by: [illegible] | Date: [illegible] | Revised:
"A professional company operating in your best interest"

REVISED CONVEYANCE PLAT
HINCKLEY ADDITION PHASE II
LOTS 2R AND 4, BLOCK A
171,001 SQUARE FEET OR
3.926 ACRES OF LAND
A REVISION OF
HINCKLEY ADDITION, CONVEYANCE PLAT, LOT 2, BLOCK A
VOLUME 0, PAGE 501 – P.R.C.C.T.
CHARLES F.M. GOODERIN SURVEY
ABSTRACT NO. 353
CITY OF PLANO, COLLIN COUNTY, TEXAS
Preparation Date: 08-28-08



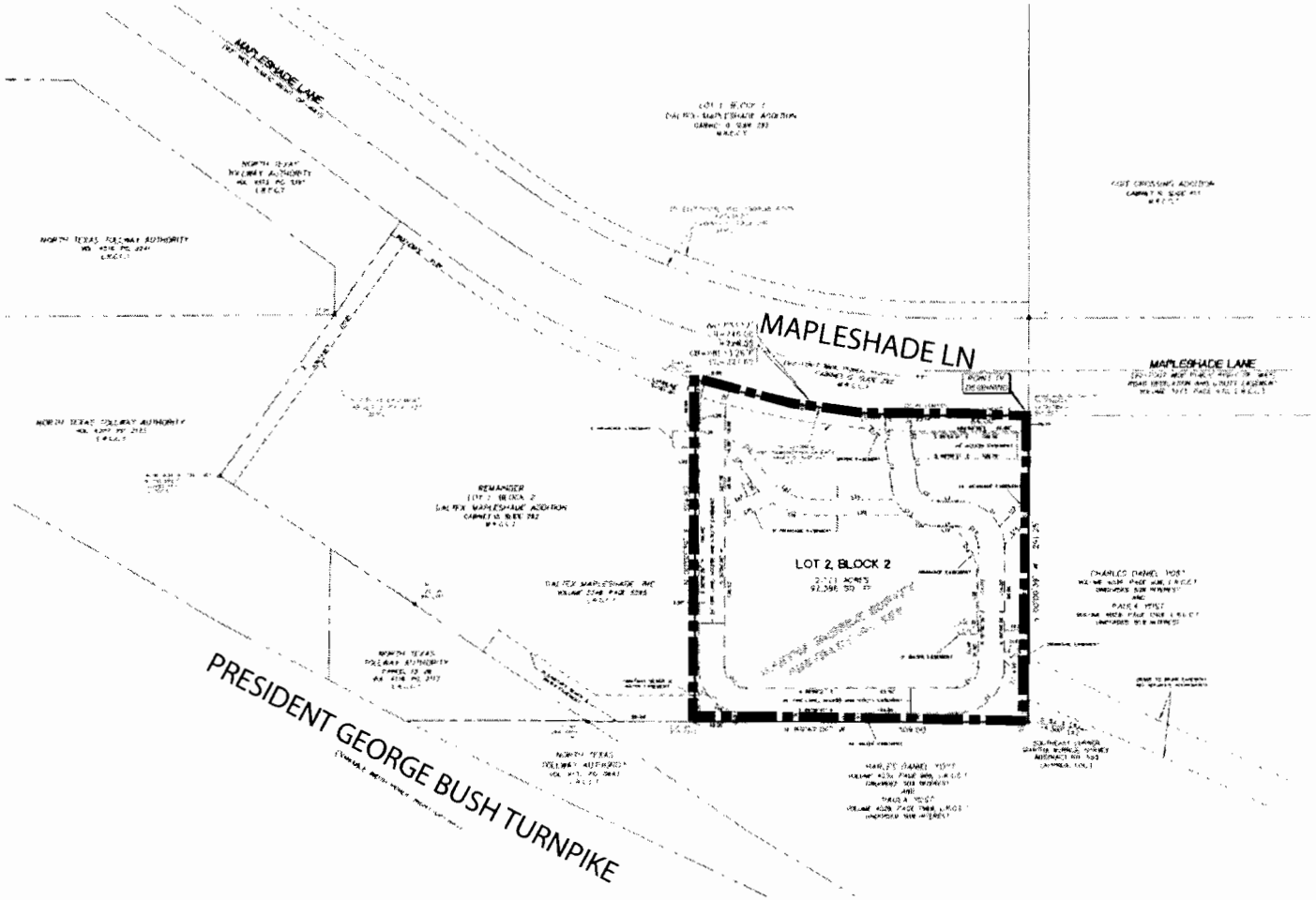
Item Submitted: PRELIMINARY PLAT

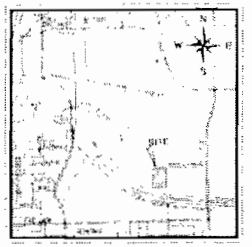
Title: DALTEX-MAPLESHADE ADDITION
BLOCK 2, LOT 2



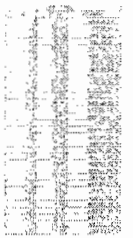
Zoning: CORRIDOR COMMERCIAL/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

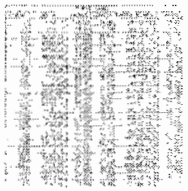
◯ 200' Notification Buffer





LOCATION MAP
NOT-TO-SCALE





LEGEND

NOTE

ALL ELECTRICAL POWER FEATURES ALONG MAPLESHADE LANE MUST BE UNDERGROUND

Basis of Bearings

OWNER'S DEDICATION

SURVEYOR'S CERTIFICATE

APPLICANT

OWNER

PRELIMINARY PLAT

DALTEX-MAPLESHADE ADDITION
BLOCK 2, LOT 2

BEING A REVISED CONVEYANCE PLAT OF
LOT 1, BLOCK 2 OF DALTEX-MAPLESHADE ADDITION
RECORDED IN CABINET G, SLIDE 282
AND
BEING 2.121 ACRES SITUATED IN THE
MARTHA McBRIDE SURVEY, ABSTRACT No. 553
CITY OF PLANO, COLLIN COUNTY, TEXAS

Kimley»Horn
and Associates, Inc.

OWNER'S CERTIFICATION

STATE OF TEXAS *
COUNTY OF COLLIN *

WHEREAS DALTEX MAPLESHADE, INC., is the owner of a tract of land situated in the Martha McBride Survey Abstract No. 553, in the City of Plano, Collin County Texas and being part of Lot 1, Block 2 of the Conveyance Plat of Lot 1 Block 1 and Lot 1, Block 2 of Daltex-Mapleshade Addition an Addition to the City of Plano Texas according to the Map or Plat thereof recorded in Cabinet Q, Slide 292 of the Map Records of Collin County, Texas same being a portion of a called 17 857 acre tract of land conveyed to said Daltex Mapleshade, Inc., as evidenced in a Special Warranty Deed recorded in Volume 5748, Page 5295 of the Land Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a standard City of Plano aluminum monument set for the northeast corner of said Lot 1, Block 2 and the most northerly northwest corner of a called 8.5969 acre tract of land, conveyed to Charles Daniel Yost (undivided 50% interest), as evidenced in a Special Warranty Deed recorded in Volume 4030 Page 906 of the Land Records of Collin County Texas and conveyed to Paula Yost (undivided 50% interest), as evidenced in a Special Warranty Deed recorded in Volume 4029, Page 1566 of the Land Records of Collin County Texas said monument also being on the south right of way line of Mapleshade Lane (a called 92' wide right of way);

THENCE South 00°00'39" West departing the south right of way line of said Mapleshade Lane along the east line of said Lot 1 Block 2 and a west line of said 8.5969 acre tract a distance of 291 25 feet to a 1/2-inch iron rod found for the southeast corner of said Lot 1, same being an inner ell corner of said 8.5969 acre tract;

THENCE North 89°47'06" West along the south line of said Lot 1, Block 2 and a north line of said 8.5969 acre tract a distance of 309.00 feet to a 5/8-inch "KHA" capped iron set for a corner

THENCE North 00°00'39" East across said Lot 1, Block 2 a distance of 324.82 feet to a 5/8-inch "KHA" capped iron rod set for corner on the south right of way line of aforementioned Mapleshade Lane and the point of curvature of a curve to the left.

THENCE in an easterly direction, along the south right of way line of said Mapleshade Lane and along the north line of said Lot 1, Block 2 the following courses and distances to wit:

Along the arc of said curve to the left through a central angle of 17°33'12" having a radius of 746.00 feet, a chord bearing of South 81°13'26" East a chord distance of 227 65 feet and an arc length of 228.55 feet to a 1/2-inch capped iron rod found for the point of tangency of said curve:

North 89°59'58" East a distance of 84,00 feet to the **POINT OF BEGINNING** and containing 2 121 acres (92,386 square feet of land more or less.

OWNER'S DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT **DALTEX MAPLESHADE, INC.** acting herein by and through its duly authorized officers does hereby adopt this plat designating the hereinabove described property as **DALTEX-MAPLESHADE ADDITION, BLOCK 2, LOT 2**, an addition to the City of Plano, Texas, and does hereby dedicate in fee simple, to the public use forever the streets and alleys shown thereon The streets and alleys are dedicated for street purposes. The Easements and public use areas as shown, are dedicated, for the public use forever for the purposes indicated on this plat No buildings fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Plano In addition Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities said use by public utilities being subordinate to the Public's and City of Plano's use thereof. The City of Plano and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences trees shrubs or other improvements or growths which may in any way endanger or interfere with the construction maintenance, or efficiency of their respective systems in said Easements. The City of Plano and public utility entities shall at all times have the full right of Ingress And Egress to or from their respective easements for the purpose of constructing reconstructing inspecting, patrolling maintaining, reading meters and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone

That the undersigned for **DALTEX MAPLESHADE, INC.** does hereby covenant and agree that he (they) shall construct upon the fire lane easements as dedicated and shown hereon a hard surface and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences trees shrubs or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking" The police or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for fire department and emergency use

The undersigned does covenant and agree that the Access Easement may be utilized by any person or the general public for ingress and egress to other real property and for the purpose of General Public vehicular and pedestrian use and access and for Fire Department and emergency use in along, upon and across said premises with the right and privilege at all times of the City of Plano its agents, employees, workmen and representatives having ingress, egress and regress in along upon and across said premises.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Plano Texas.

WITNESS my hand this the ______ day of ______________________, 2008.

By: DALTEX MAPLESHADE, INC. a Texas limited corporation

By: ______________________

____
Name and Title

STATE OF TEXAS *
COUNTY OF ______ *

BEFORE ME, the undersigned a Notary Public in and for The State of Texas, on this day personally appeared __________ of **DALTEX MAPLESHADE, INC.**, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said company and that he executed the same as the act of such corporation for the purposes and consideration therein expressed and in the capacity therein stated

Given under my hand and seal of office on this the ____ day of ______________ 2008

____
NOTARY PUBLIC in and for the STATE OF TEXAS

SURVEYORS CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT I, **Thomas William Mauk**, do hereby certify that I prepared the plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulation of the City Plan Commission of the City of Plano Texas.

DATED THIS ________ DAY OF ______________________, 2008

____
Thomas William Mauk
Registered Professional Land Surveyor #5119
KIMLEY-HORN AND ASSOCIATES INC
12700 Park Central Drive Suite 1800 Dallas Texas 75251
(972) 770-1300

STATE OF TEXAS *
COUNTY OF DALLAS *

BEFORE ME the undersigned authority on the day personally appeared Thomas William Mauk, 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 in the capacity therein stated and as the act and deed of said corporation

Given under my hand and seal of office on this the ____ day of ______________ 2008

____
NOTARY PUBLIC in and for the STATE OF TEXAS

CERTIFICATE OF APPROVAL

APPROVED this ______ day of ______________________, 2008 by the Planning & Zoning Commission City of Plano Texas.

____
CHAIRMAN OF PLANNING & ZONING COMMISSION

STATE OF TEXAS *
COUNTY OF COLLIN *

BEFORE ME, the undersigned authority a Notary Public in and for said county and state 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

Given under my hand and seal of office on this the ____ 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 said county and state 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

Given under my hand and seal of office on this the ____ day of ______________ 2008

____
NOTARY PUBLIC in and for the STATE OF TEXAS

SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY SUBDIVISION ORDINANCE AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING CERTIFICATES

APPLICANT
Kingston Capital Partners, LLC
5700 W. Plano Parkway Suite 1200
Plano, Texas 75093
Tel No., 972 738-6424
Fax No : 972-713-8084
Contact Jerry Ragsdale

OWNER
Daltex Mapleshade, Inc.
4760 Preston Road Suite 244 # 141
Frisco Texas 75034
Tel No., 214-388-5895
Fax No. 214-388-0176
Contact: Randy Foster

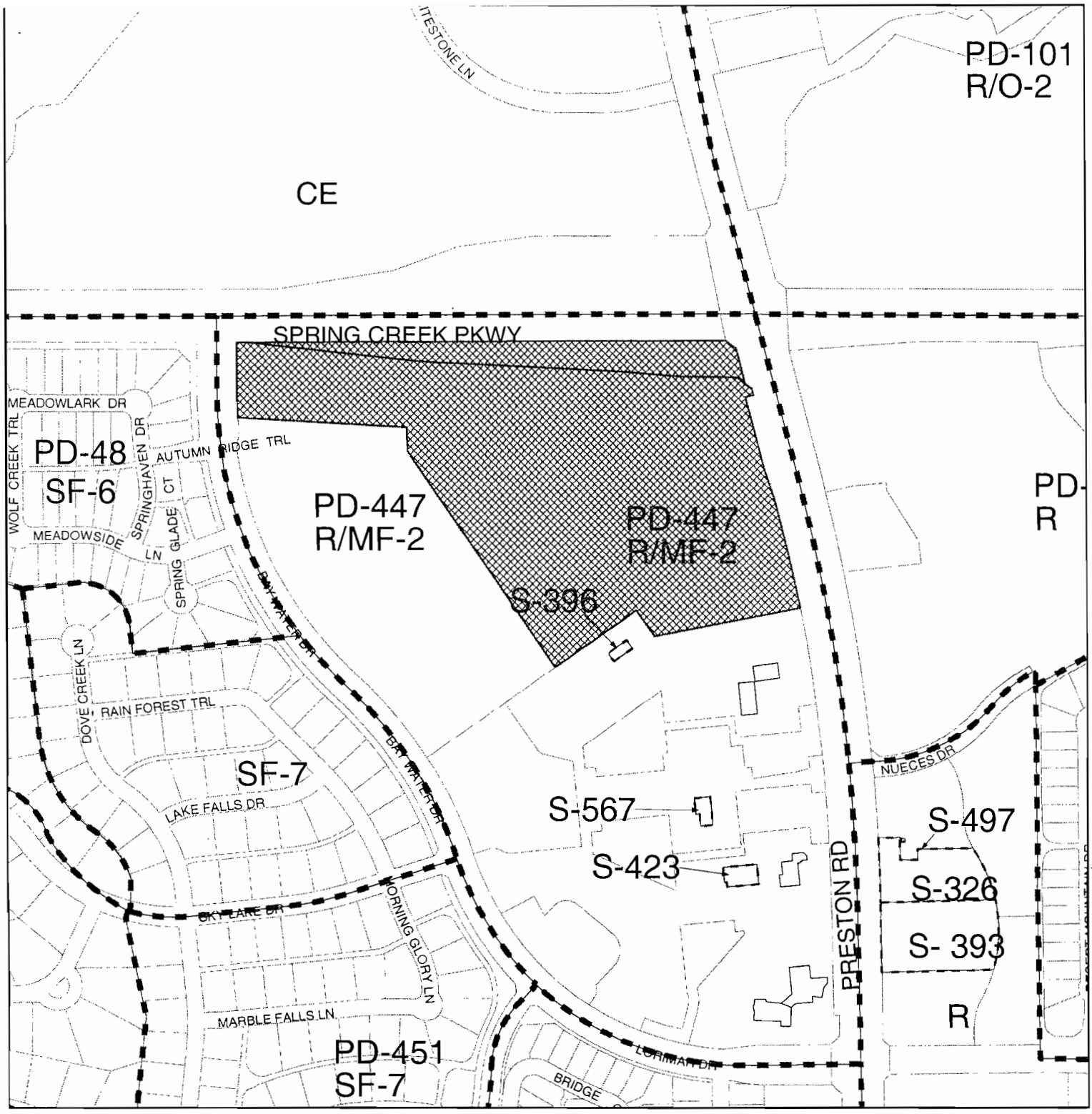
PRELIMINARY PLAT
DALTEX-MAPLESHADE ADDITION BLOCK 2, LOT 2

BEING A REVISED CONVEYANCE PLAT OF
LOT 1, BLOCK 2 OF DALTEX-MAPLESHADE ADDITION
RECORDED IN CABINET Q, SLIDE 292
AND
BEING 2 121 ACRES SITUATED IN THE
MARTHA McBRIDE SURVEY, ABSTRACT No 553
CITY OF PLANO, COLLIN COUNTY TEXAS

Kimley-Horn and Associates, Inc.
12700 Park Central Drive, Suite 1800
Dallas, Texas 75251
Tel No. 972 770-1300
Fax No. 972-239-3820
DATE: June 26, 2008
REVISED October 8, 2008
JOB NO 063879006
SCALE 1" = 50'

Recorded in Volume ____, Page ____, M.R C.C.T

Copyright © 2008
Kimley-Horn and Associates, Inc.
All rights reserved

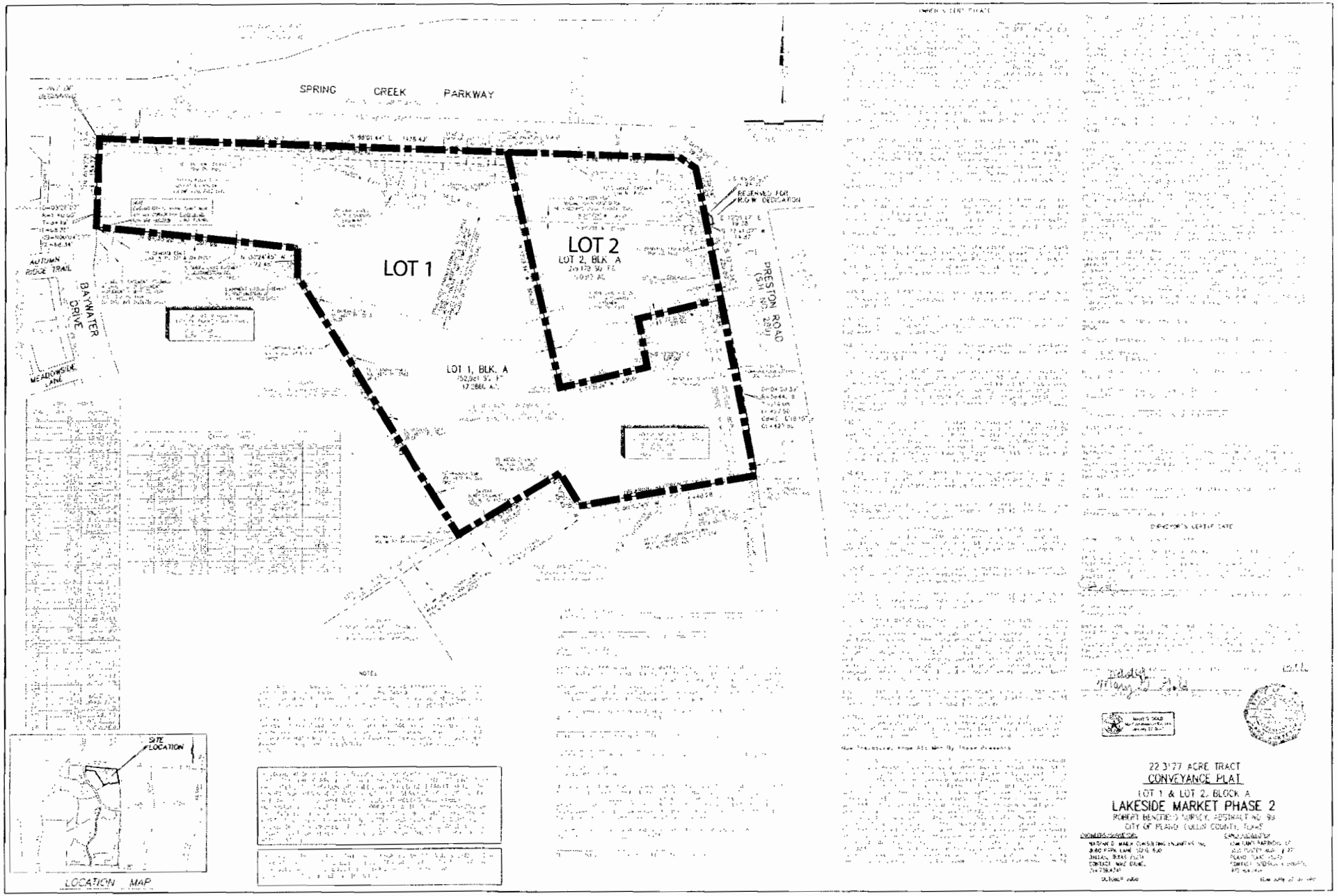


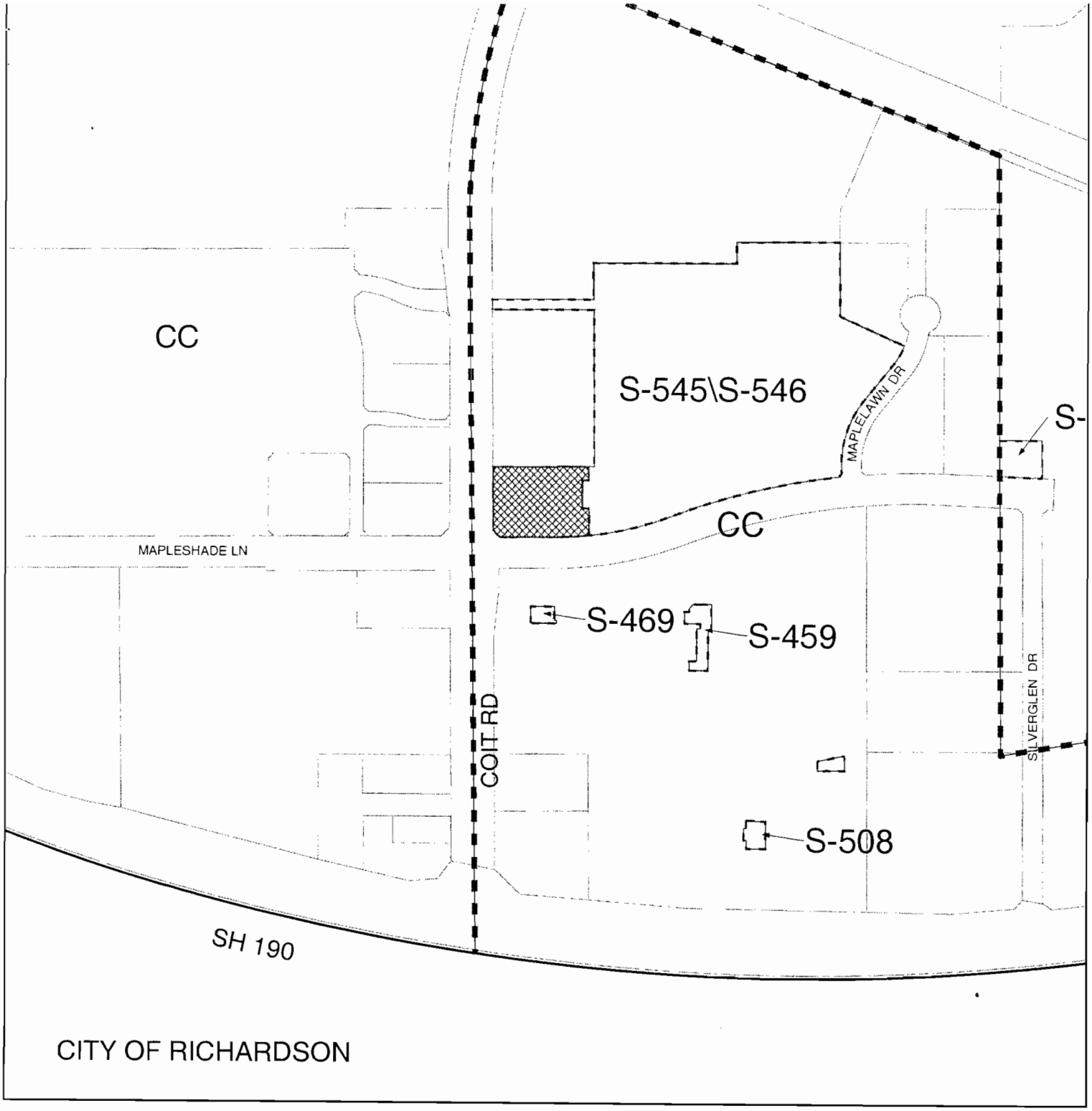
Item Submitted: CONVEYANCE PLAT

Title: LAKESIDE MARKET, PHASE 2
BLOCK A, LOTS 1 & 2

Zoning: PLANNED DEVELOPMENT-447-RETAIL/MULTIFAMILY RESIDENCE-2/
PRESTON ROAD OVERLAY DISTRICT

◯ 200' Notification Buffer


SPRING CREEK PARKWAY
LOT 1
LOT 2
LOT 2, BLK. A
LOT 1, BLK. A
AUTUMN RIDGE TRAIL
BAYWATER DRIVE
MEADOWSIDE LANE
PRESTON ROAD (SH NO. 289)
RESERVED FOR ROW DEDICATION
SITE LOCATION
LOCATION MAP
NOTES
DIRECTOR'S CERTIFICATE
22.3177 ACRE TRACT
CONVEYANCE PLAT
LOT 1 & LOT 2, BLOCK A
LAKESIDE MARKET PHASE 2
ROBERT BENGTSON SURVEY, ABSTRACT NO. 93
CITY OF PLANO, COLLIN COUNTY, TEXAS

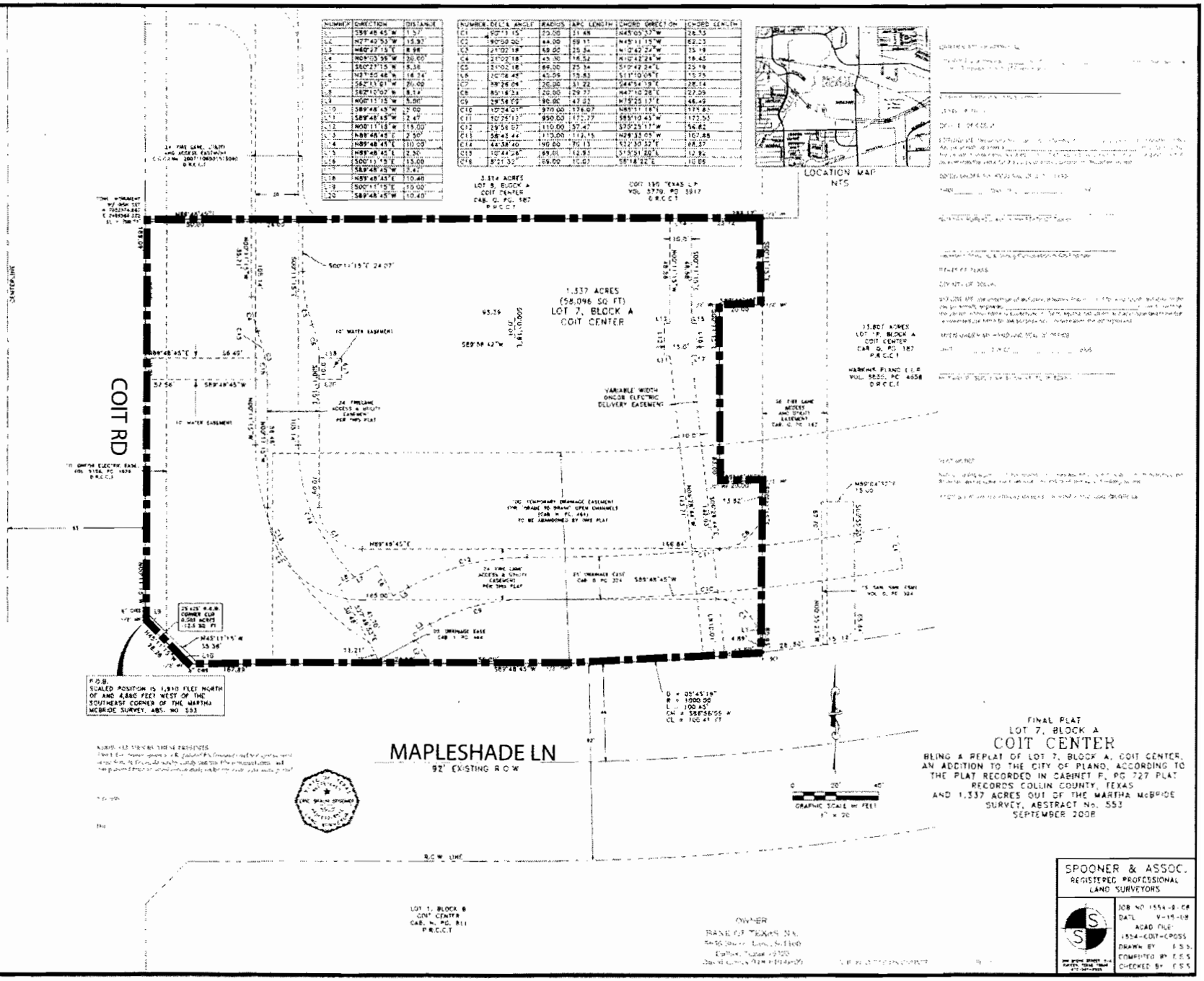


Item Submitted: FINAL PLAT

Title: COIT CENTER
BLOCK A, LOT 7

Zoning: CORRIDOR COMMERCIAL/
190 TOLLWAY/PLANO PARKWAY OVERLAY DISTRICT

◯ 200' Notification Buffer



NUMBER	DIRECTION	DISTANCE
L1	S89°48'45"W	11.57'
L2	N27°40'53"W	13.93'
L3	N89°27'15"E	8.98'
L4	N00°00'55"W	20.00'
L5	S00°27'15"E	5.38'
L6	N27°55'48"W	16.74'
L7	S62°11'01"W	20.00'
L8	S82°10'02"W	8.14'
L9	N00°11'15"W	5.00'
L10	S89°48'45"W	2.00'
L11	S89°48'45"W	2.47'
L12	N00°11'15"W	119.00'
L13	N89°48'45"E	2.30'
L14	N89°48'45"E	10.00'
L15	N89°48'45"E	2.30'
L16	S00°11'15"E	15.00'
L17	S89°48'45"W	2.47'
L18	N89°48'45"E	10.40'
L19	S00°11'15"E	10.00'
L20	S89°48'45"W	10.40'

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	90°13'15"	20.00'	31.49'	N45°05'37"W	28.33'
C2	90°00'00"	44.00'	69.11'	N45°11'15"W	62.23'
C3	21°02'18"	69.00'	25.34'	N10°42'24"W	25.19'
C4	21°02'18"	45.00'	16.52'	N10°42'24"W	16.43'
C5	90°27'15"	44.00'	69.47'	N44°02'38"E	62.49'
C6	21°02'18"	45.00'	16.52'	N10°42'24"W	16.43'
C7	21°02'18"	69.00'	25.34'	N10°42'24"W	25.19'
C8	89°27'15"	45.00'	35.83'	S44°02'38"W	34.76'
C9	89°28'09"	20.00'	31.23'	S44°54'19"E	28.14'
C10	85°18'33"	20.00'	29.77'	N47°10'28"E	27.09'
C11	29°58'09"	90.00'	47.07'	N15°25'12"E	46.49'
C12	19°24'07"	970.00'	328.07'	S89°11'48"E	326.47'
C13	10°26'12"	950.00'	172.97'	S85°10'45"W	172.73'
C14	39°56'02"	110.00'	76.67'	S70°25'17"W	75.13'
C15	58°43'44"	110.00'	112.75'	N29°33'05"W	107.88'
C16	44°38'40"	90.00'	70.13'	S32°30'32"E	68.37'
C17	12°44'26"	69.01'	12.91'	S15°31'30"E	12.89'
C18	8°21'33"	66.00'	10.01'	S8°18'22"E	10.00'

FINAL PLAT
LOT 7, BLOCK A
COIT CENTER
BEING A REPLAT OF LOT 7, BLOCK A, COIT CENTER, AN ADDITION TO THE CITY OF PLANO, ACCORDING TO THE PLAT RECORDED IN CABINET F, PG 727 PLAT RECORDS COLLIN COUNTY, TEXAS AND 1.337 ACRES OUT OF THE MARTHA McBRIDE SURVEY, ABSTRACT No. 553
SEPTEMBER 2008

OWNER
BANK OF TEXAS, N.A.

SPOONER & ASSOC.
REGISTERED PROFESSIONAL
LAND SURVEYORS

JOB NO. 1554-8-08
DATE 9-19-08
ACAD FILE 1554-COIT-CPOSS
DRAWN BY E.S.S.
COMPUTED BY E.S.S.
CHECKED BY E.S.S.

CITY OF PLANO

PLANNING & ZONING COMMISSION

October 20, 2008

Agenda Item No. 6

Public Hearing: Zoning Case 2008-67

Applicant: QD Recreation Academy

DESCRIPTION:

Request for Specific Use Permit for Day Care Center on one lot on 0.4± acre located on the south side of Legacy Drive, 270± feet west of Coit Road. Zoned Retail.

REMARKS:

The requested zoning is a Specific Use Permit (SUP) for Day Care Center. 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. A day care center is defined as a facility providing care, training, education, custody, treatment, or supervision for 13 or more children for less than 24 hours per day.

The proposed day care center is 15,344 square feet of indoor space in a multi-occupant building with direct access to the exterior of the building. The applicant plans to operate a "drop-in" day care and will not offer care for more than four hours per day for an individual person. The Zoning Ordinance requires that day care centers provide outdoor play space; however, the Planning & Zoning Commission may waive the requirement for outdoor play space if care is provided for less than four hours per day. With less than four hours of operation, the applicant is requesting that the Planning & Zoning Commission waive the requirement for outdoor play space.

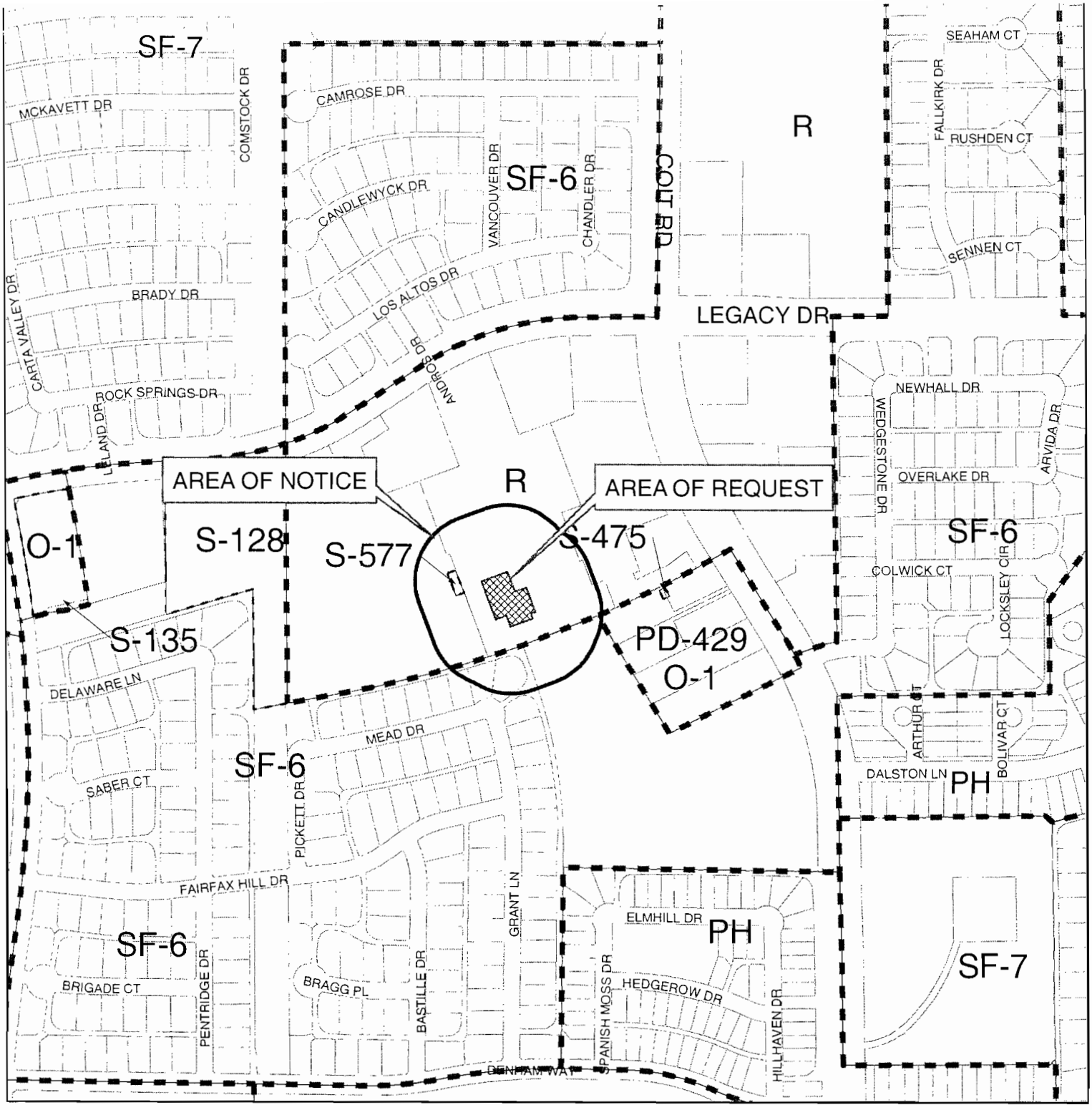
The day care meets the required parking, loading, and unloading area requirements. It is also not within 300 feet of gasoline pumps or underground storage tanks.

RECOMMENDATIONS:

Recommended for approval subject to:

1. Planning & Zoning Commission waiving the requirement for outdoor play space;

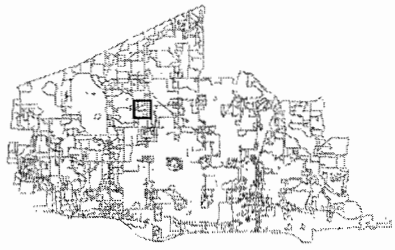
2. Day care shall be provided for less than four hours per day for an individual person. However, the day care facility may operate multiple sessions of four hours or less in length.



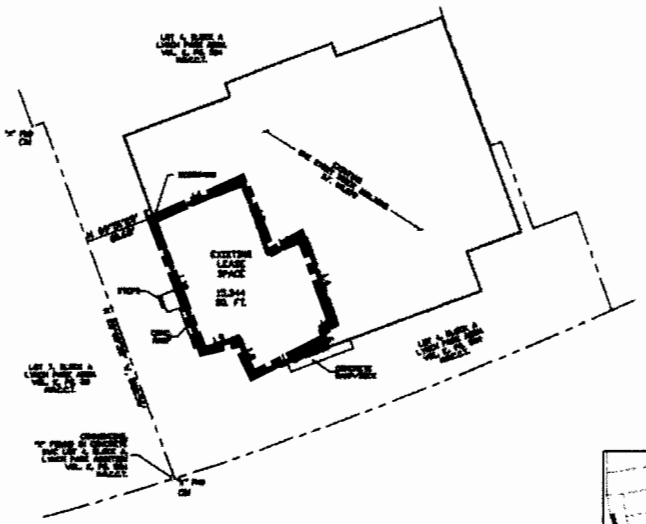
plano gis

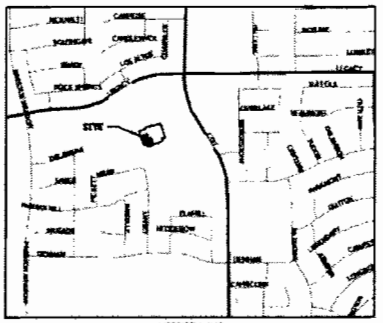
Zoning Case #: 2008-67

Existing Zoning: RETAIL



◯ 200' Notification Buffer





VICINITY MAP
NOT TO SCALE

PROPERTY ADDRESS:
4400 LEGACY DRIVE, SUITE 464
PLANO, TEXAS 75024

LINE TABLE

NO.	BEARING	DISTANCE

LEGEND

"X" FND CHISELED IN CONCRETE CONTROLLING MONUMENT

DESCRIPTION
15,344 SQUARE FEET
LEASE SPACE

SITUATED in the City of Plano, Collin County, Texas, being a part of Lot 4, Block A, Lynch Park Addition, an addition to the City of Plano recorded in Volume K, Page 524 of the Map Records of Collin County, Texas, being described by metes and bounds as follows:

COMMENCING at an "X" found chiseled in concrete at the southwest corner of said Lot 4, Block A, Lynch Park Addition; THENCE North 20° 08' 35" West, with the west line of said Lot 4, Block A, 220.56 feet; THENCE North 69° 51' 25" East, 60.68 feet to a point in the exterior wall of an existing building for the POINT OF BEGINNING;

THENCE North 69° 49' 20" East, feet along the center of an interior wall, 83.83 feet;
THENCE South 20° 10' 40" East, along the center of an interior wall, 64.47 feet;
THENCE North 69° 50' 14" East, along the center of an interior wall, 36.01 feet;
THENCE South 20° 09' 46" East, along the center of an interior wall, 78.96 feet;
THENCE South 69° 50' 14" West, along the center of an interior wall, 14.85 feet;
THENCE South 20° 09' 46" East, along the center of an interior wall, 18.27 feet to a point in an exterior wall;
THENCE South 69° 50' 14" West, along the center of said exterior wall, 70.39 feet;
THENCE North 20° 14' 59" West, along the center of an exterior wall, 35.92 feet;
THENCE South 69° 49' 59" West, along the center of an exterior wall, 34.82 feet;
THENCE North 20° 10' 40" West, along the center of an exterior wall, 123.77 feet to the POINT OF BEGINNING, and containing 15, 344 square feet.

BASIS OF BEARINGS: Southern-most west line of Lot 4, Block A, Lynch Park Addition
CONTROLLING MONUMENTS: "X" found at southwest corner and "X" found South 69° 51' 25" West 9.98 feet from the southern-most elbow in the west line of said Lot 4, Block A, Lynch Park Addition

The above-described tract of land was surveyed on the ground under my supervision on August 21, 2008

REQUESTING "SUP"

Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, or plan; approval of development standards shown hereon, or the initiation of the development process. Planning & Zoning Commission and / or City Council action on Studies, plats or plans relating to development of this property shall be considered as an action separate from

ZONING EXHIBIT NO. ZC-2008-87

ZONING EXHIBIT
PART OF

LOT 4, BLOCK A
LYNCH PARK ADDITION
CITY OF PLANO, COLLIN COUNTY, TEXAS

Phillip L. Smith,
Registered Professional Land Surveyor No. 5892

PREPARED FOR:
XE LEAD
4400 LEGACY DRIVE, SUITE 464
PLANO, TEXAS 75024
PHONE: 469-323-1252

SCALE 1"=60 FEET
0 30 60 120

Phil Smith Surveying

REPLY FORM

RECEIVED
SEP 2 5 2008
PLANNING DEPT

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

All-America City

Dear Commissioners:

This letter is regarding Zoning Case 2008-67. A request for a Specific Use Permit for a Day Care Center on one lot on 0.4± acre located on the south side of Legacy Drive, 270± feet west of Coit Road. The requested zoning is a Specific Use Permit (SUP) for a Day Care Center. 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. A day care center is defined as a facility providing care, training, education, custody, treatment or supervision for thirteen or more children for less than 24 hours per day. The applicant has requested that the Planning and Zoning Commission waive the requirement for outdoor play space because, for an individual person, care will be provided less than four hours per day.

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

_X_ I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-67.

_____ I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-67.

This item will be heard on **October 20, 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.

THE NOTICE SAYS "LOT" WHEN, IN REALITY, IT IS A SECTION OF AN EXISTING BUILDING. THIS IS MISLEADING, AND NEEDS TO BE CLEARLY STATED. ALSO, PLEASE PRINT ON BOTH SIDES OF THE PAPER TO CONSERVE RESOURCES.

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

EDWARD W KETTLER III
Name (Please Print)

Signature

6725 GRANT LN
Address

28 Sept 08
Date

(6)

Z:PH/2008-67P4

RECEIVED
PLANNING DEPT.

REPLY FORM

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

Dear Commissioners:

All-America City

This letter is regarding Zoning Case 2008-67. A request for a Specific Use Permit for a Day Care Center on one lot on 0.4± acre located on the south side of Legacy Drive, 270± feet west of Coit Road. The requested zoning is a Specific Use Permit (SUP) for a Day Care Center. 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. A day care center is defined as a facility providing care, training, education, custody, treatment or supervision for thirteen or more children for less than 24 hours per day. The applicant has requested that the Planning and Zoning Commission waive the requirement for outdoor play space because, for an individual person, care will be provided less than four hours per day.

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____ I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-67.

This item will be heard on **October 20, 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.

Agent for the owner: Coit/Legacy LP
Agent: Quinn + Associates, Inc.

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

Alan Sandgarten, Property Manager
Name (Please Print)

Signature

c/o Quinn + Associates
PO Box 833009
Address

10-10-08
Date

(6) Richardson, TX 75083

Z:PH/2008-67P4

CITY OF PLANO

PLANNING & ZONING COMMISSION

October 20, 2008

Agenda Item No. 7A

Public Hearing: Zoning Case 2008-69

Applicant: John W. Jolly

DESCRIPTION:

Request for a Specific Use Permit for Day Care Center on one lot on 1.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development.

REMARKS:

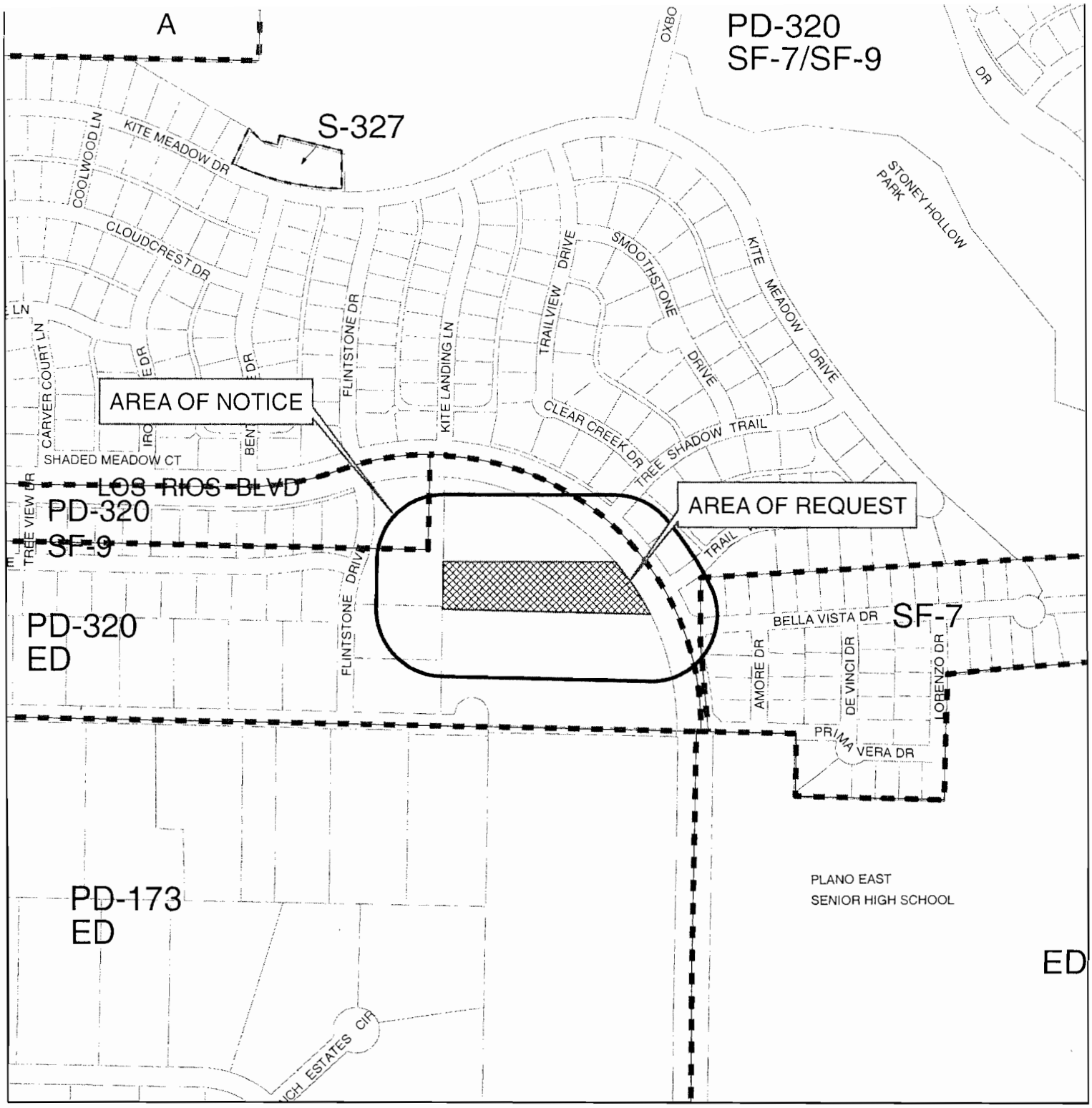
The requested zoning is a Specific Use Permit (SUP) for Day Care Center. A day care center is defined as a facility providing care, training, education, custody, treatment, or supervision for 13 or more children for less than 24 hours per day. The purpose and intent of an SUP is to authorize and regulate 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.

The proposed day care center is in a single occupant building with direct access to the exterior of the building. Children attending the day care center will have access to 29,170 square feet of outdoor play space.

The maximum number of students allowed at any time is 211. The proposed day care center meets the required parking, loading, and unloading area requirements. It is also not within 300 feet of gasoline pumps or underground storage tanks.

RECOMMENDATIONS:

Recommended for approval as submitted.

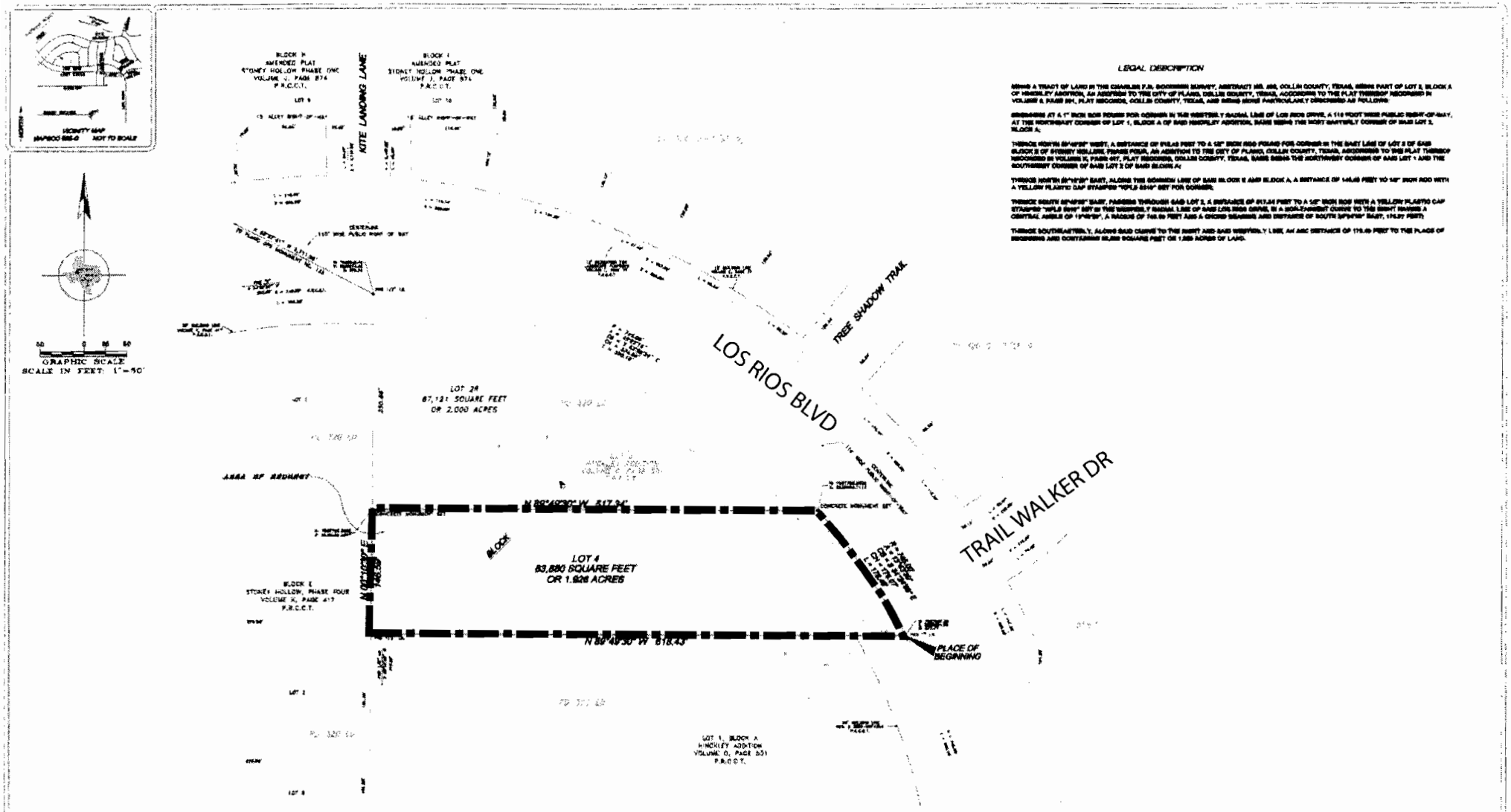


plano gis

Zoning Case #: 2008-69

Existing Zoning: PLANNED DEVELOPMENT-320-ESTATE DEVELOPMENT

◯ 200' Notification Buffer



LEGAL DESCRIPTION

BEING A TRACT OF LAND IN THE CHARLES F.M. GOODWIN SURVEY, ABSTRACT NO. 349, COLLIN COUNTY, TEXAS, BEING PART OF LOT 2, BLOCK A OF HINCKLEY ADDITION, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME O, PAGE 831, PLAT RECORDS, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1" IRON ROD FOUND FOR CORNER IN THE WESTERLY RADIAL LINE OF LOS RIOS DRIVE, A 110 FOOT WIDE PUBLIC RIGHT-OF-WAY, AT THE NORTHEAST CORNER OF LOT 1, BLOCK A OF SAID HINCKLEY ADDITION, SAME BEING THE MOST EASTERLY CORNER OF SAID LOT 2, BLOCK A;

THENCE NORTH 89°49'50" WEST, A DISTANCE OF 818.43 FEET TO A 1/2" IRON ROD FOUND FOR CORNER IN THE EAST LINE OF LOT 2 OF SAID BLOCK E OF STONEY HOLLOW, PHASE FOUR, AN ADDITION TO THE CITY OF PLANO, COLLIN COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME K, PAGE 417, PLAT RECORDS, COLLIN COUNTY, TEXAS, SAME BEING THE NORTHWEST CORNER OF SAID LOT 1 AND THE SOUTHWEST CORNER OF SAID LOT 2 OF SAID BLOCK A;

THENCE NORTH 89°49'50" EAST, ALONG THE COMMON LINE OF SAID BLOCK E AND BLOCK A, A DISTANCE OF 146.48 FEET TO 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "KPLS 5910" SET FOR CORNER;

THENCE SOUTH 89°49'50" EAST, PASSING THROUGH SAID LOT 2, A DISTANCE OF 817.34 FEET TO A 1/2" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "KPLS 5910" SET IN THE WESTERLY RADIAL LINE OF SAID LOS RIOS DRIVE, IN A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 15°45'59", A RADIUS OF 745.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 30°04'09" EAST, 170.01 FEET;

THENCE SOUTHEASTERLY, ALONG SAID CURVE TO THE RIGHT AND SAID WESTERLY LINE, AN ARC DISTANCE OF 170.49 FEET TO THE PLACE OF BEGINNING AND CONTAINING 83,880 SQUARE FEET OR 1.926 ACRES OF LAND.

OWNER INFORMATION – John W. and Jan H. Jolly – 3916 Chatsbrook – Richardson, Texas 75082 (214) 735-7555 –

APPLICANT INFORMATION: – Hood Construction – 3550 LBJ Freeway, Ste 700 – Dallas, Texas 75234 (214) 750-7550 –

NOTES

1) All monuments labeled as "SET 1/2" I.R." are 1/2" iron rods with a yellow plastic cap marked "KPLS 5910".
2) Basis of bearings for this plat is per plat bearing distance recorded in Volume O, Page 831, Plat Records, Collin County, Texas.
3) All coordinate values listed are based on NAD 83, datum checked from intersect "City of Plano Survey Marker, Station 127" City of Plano GPS Point Number 125 located at the West corner of Los Rios Boulevard and Shortgrass. Elevation= 614.39ft.
4) All elevation values listed are based on "City of Plano Geodetic Control Monument G-6, 6.5' 1/2" dia., datum checked elevation from intersect "City of Plano Survey Marker, Station 127" is located near the southeast corner of the intersection of Parker Road and Alma Vale. Elevation=614.39ft.
5) P.R.C.C.T. = Plat Records, Collin County, Texas

NOTE:

"Approval of the zoning case associated with this exhibit shall not imply approval of any associated study, plat, or plan. Approval of development standards shown hereon, or the initiation of the development process, Planning & Zoning Commission and/or City Council action on studies, plans or plans relating to development of this property shall be considered as an action separate from action taken on this zoning case."

Analytical Surveys, Inc.
"Registered Professional Land Surveyors"
701 Avis Road
Garland, Texas 75040
(972) 272-3302 Voice
(972) 272-3307 Fax
John S. Turner R.P.L.S. 5910
"A professional company operating for your best interest"

ZONING CASE 2006-69

HINCKLEY ADDITION PHASE II
LOT 4, BLOCK A

83,880 SQUARE FEET OR
1.926 ACRES OF LAND

CHARLES F.M. GOODWIN SURVEY
ABSTRACT NO. 349
CITY OF PLANO, COLLIN COUNTY, TEXAS
Preparation Date: 08-28-06

RECEIVED

OCT 06 2008

PLANNING DEPT

REPLY FORM

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

All-America City

Dear Commissioners:

This letter is regarding Zoning Case 2008-69. The property is on one lot on 1.9± acres located on the south side of Los Rios Drive, 100± feet west of Trail Walker Drive. The requested zoning is for a Specific Use Permit (SUP) for Day Care Center. 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 2008-69.

✓ I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-69.

This item will be heard on **September 20, 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.

ALAN HAYNIE
Name (Please Print)

Signature

Address

9/28/08
Date

EH

Z:PH/2008-69P4

RECEIVED
OCT 0 9 2008
PLANNING DEPT

REPLY FORM

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

All-America City

Dear Commissioners:

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This item will be heard on **September 20, 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.

A Montessori School will enhance the community and I am in favor of this request.

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

JOHN W. JOLLY
Name (Please Print)

John W. Jolly
Signature

3909 CHANNINGST DR.
Address

10/6/08
Date

EH

Z:PH/2008-69P4

CITY OF PLANO

PLANNING & ZONING COMMISSION

October 20, 2008

Agenda Item No. 7B

Preliminary Site Plan & Concept Plan: Hinckley Addition, Phase II, Block A, Lots 2R & 4

Applicant: John W. Jolly

DESCRIPTION:

Day care center and religious facility on two lots on 3.9± acres located on the south side of Los Rios Boulevard, 100± feet west of Trail Walker Drive. Zoned Planned Development-320-Estate Development. Neighborhood #50.

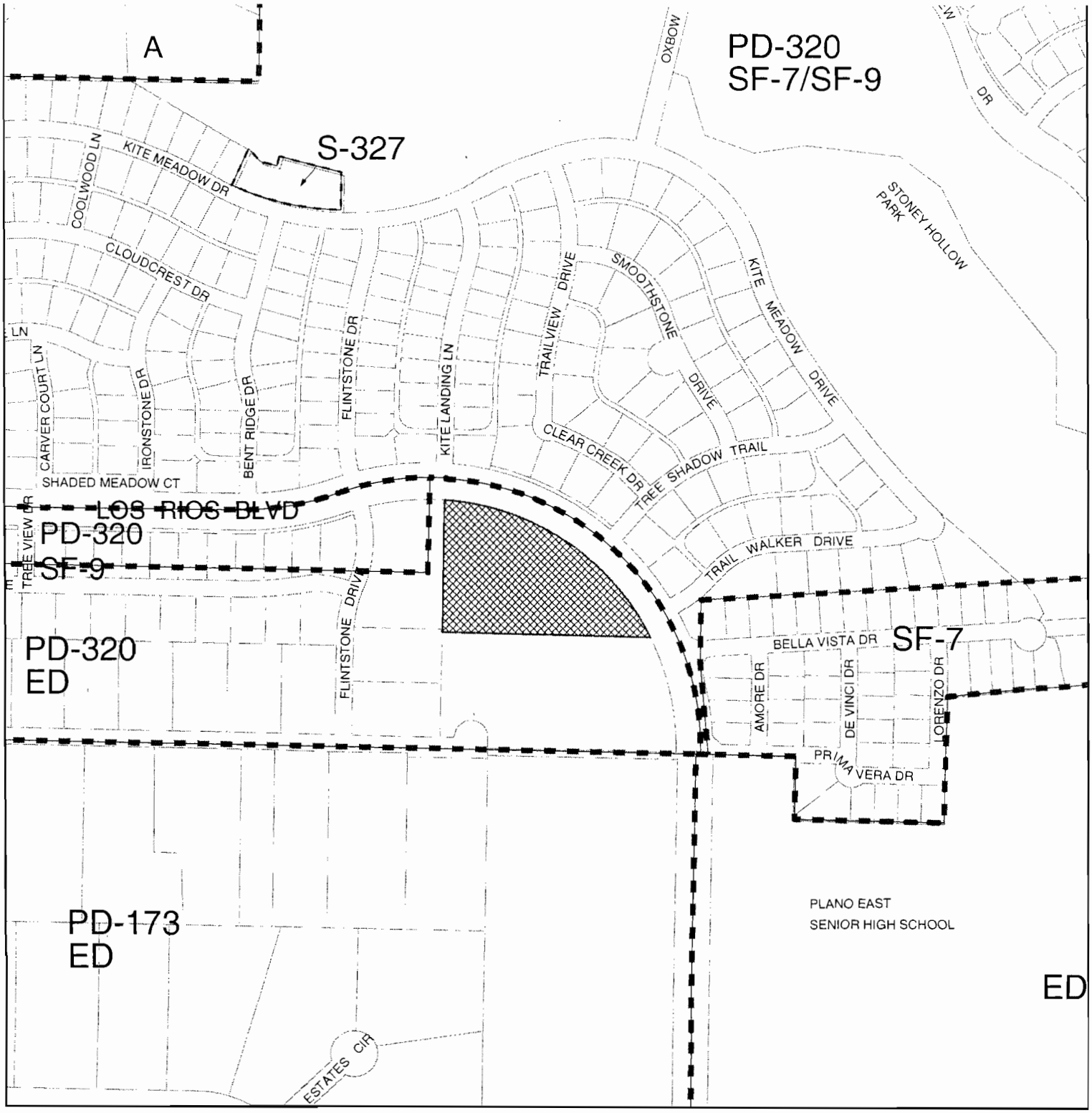
REMARKS:

This preliminary site plan and concept plan is associated with Zoning Case 2008-69. The preliminary site plan on Lot 4 shows the proposed day care center. The site meets the Zoning Ordinance requirements for required outdoor play space, loading and unloading areas, and distance from gasoline pumps and underground storage tanks.

The concept plan proposes a religious facility use on Lot 2R.

RECOMMENDATIONS:

Recommended for approval subject to City Council approval of Zoning Case 2008-69.

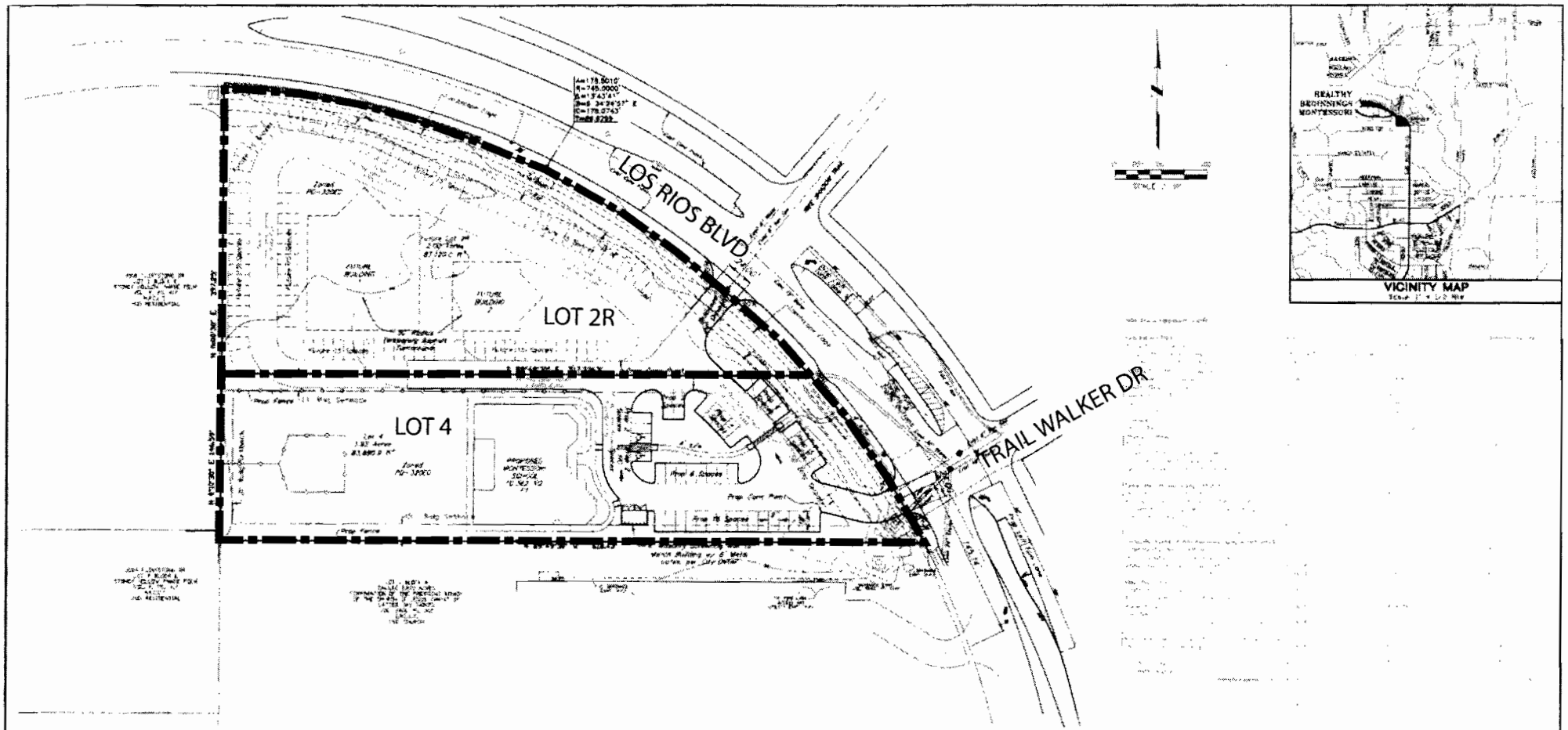


Item Submitted: PRELIMINARY SITE PLAN & CONCEPT PLAN

Title: HINCKLEY ADDITION, PHASE II
BLOCK A, LOTS 2R & 4

Zoning: PLANNED DEVELOPMENT-320-ESTATE DEVELOPMENT

○ 200' Notification Buffer



SITE PLAN GENERAL NOTES:

1. Buildings 6,000 square feet or greater shall be 100% fire sprinkled.
2. Fire lanes shall be designed and constructed per city standards.
3. Handicapped parking stalls shall be designed and provided per city standards and shall comply with requirements of the current adopted International Building Code.
4. Fourteen wide sidewalks shall be provided 2.5 feet off of the property line within the dynamic-way crossed a sidewalk easement to provide for a maintaining sidewalk or an alternative design is approved by the city. Sunbrellas ramps, per city standards, shall be provided on sidewalks at all curb crossings.
5. Mechanical units, dumpsters, and trash compactors shall be screened in accordance with the Zoning Ordinance.
6. All signage contingent upon approval by Building Inspection Department.
7. Approval of the site plan is not that until all engineering plans are approved.
8. Open storage, where permitted, shall be screened in accordance with the Zoning Ordinance.
9. Building Stairs within site development shall be compatible as required in the Retail Corner Design Guidelines.
10. Outdoor lighting shall comply with illumination standards within Section 6.406 of the Code of Ordinances.
11. Please contact the Building Inspection Department to determine the type of construction and occupancy group.
12. All electrical transmission, distribution, and service lines must be underground where required.
13. Uses shall conform to operation, location, and construction to the following performance standards in Section 3-1300 of the Zoning Ordinance: noise, smoke and particulate matter, vibration matter, fire or explosive material, toxic and noxious matter, vibration, and/or other performance standards.

APPLICANT: HEAD CONSTRUCTION
ARCHITECT: MARK WAINSCOTT
ENGINEER: JONES & CARTER, INC.
SURVEYOR: ANALYTICAL SURVEYS, INC.
LANDSCAPE ARCHITECT: LEDBIRD DESIGN GROUP
CURRENT PROPERTY OWNER(S): JOHN H. JOLLY & JOHN H. JOLLY

JONES & CARTER, INC.

CONCEPT PLAN & PRELIMINARY SITE PLAN
OF
LOTS 2R, & 4 BLOCK A HINCKLEY ADDITION
OUT OF THE
CHARLES F.M. GOODERIN SURVEY ABST. 353

PLANO TEXAS, COLLIN COUNTY
SEPTEMBER 2008

JONES & CARTER, INC.
ENGINEERS · PLANNERS · SURVEYORS
3030 LBJ Freeway, Suite 810 Dallas, Texas 75234 (972) 488-3580

CITY OF PLANO

PLANNING & ZONING COMMISSION

October 20, 2008

Agenda Item No. 8A

Public Hearing: Zoning Case 2008-68

Applicant: City of Plano

DESCRIPTION:

Request to rezone 58.4± acres located at the southwest corner of Preston Road and Spring Creek Parkway **from** Planned Development-447-Retail/Multifamily Residence-2 **to** Planned Development-Retail. Zoned Planned Development-447-Retail/Multifamily Residence-2.

REMARKS:

This is a city-initiated zoning request and is a companion zoning case to Zoning Case 2008-70 on this same meeting agenda. Planned Development-447-Retail/Multifamily Residence-2 (PD-447-R/MF-2) applies to all of the property bounded by Spring Creek Parkway, Preston Road, and Bay Water Drive/Lorimar Drive.

The proposed rezoning is for the existing, partially developed, nonresidential property (Lakeside Market), as well as the undeveloped property, located at the southwest corner of Preston Road and Spring Creek Parkway. The majority property owner is requesting that the area of request be removed from the current PD-447-R/MF-2 zoning district and be rezoned to a new planned development zoning district. Given the fractured ownership within the existing PD-447-R/MF-2 district, the Planning & Zoning Commission at its August 18, 2008, meeting called a public hearing to consider a proposed rezoning for the area of request.

The current zoning is PD-447-R/MF-2. The Retail (R) district is intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls, but not including wholesaling or warehousing. The Multifamily Residence-2 (MF-2) district is intended to accommodate condominiums and apartments at a density of 18 residential units per acre providing sufficient areas for usable open space and landscaping. A planned development (PD) district provides the ability to amend use,

height, setback, and other development standards at the time of zoning to promote innovative design and better development controls appropriate to both off- and onsite conditions.

The requested zoning is Planned Development-Retail (PD-R). The proposed planned development (PD) district applies to the existing, partially developed nonresidential property (Lakeside Market), as well as the undeveloped property. The PD district proposes a variety of retail, restaurant, office, hotel, and mini-warehouse/public storage uses by right. The PD also proposes to increase the maximum allowable building square footage (density), increase the maximum building height, modify parking requirements for mini-warehouse/public storage, and modify signage requirements. A concept plan accompanies this rezoning request and is Agenda Item 8B on this same agenda. Also, attached under separate cover is a Traffic Impact Analysis submitted as a part of the rezoning petition.

This proposed rezoning request does not include the existing multifamily development on the east side of Bay Water Drive, 230± feet south of Spring Creek Parkway (Echelon at Lakeside). However, there is a companion zoning case (2008-70) pending for the existing multifamily development to rezone it from PD-447-R/MF-2 to MF-2.

Surrounding Land Use and Zoning

The area of the request is partially developed at the southern end of the property as nonresidential uses (retail, commercial, office, and restaurant) while the remaining northern portion of the property is undeveloped.

The adjacent property to the west is developed as multifamily residential and is currently zoned PD-447-R/MF-2; farther west across Lorimar Drive/Bay Water Drive, the properties are developed as single-family residential and are zoned Single-Family Residence-7 (SF-7), Planned Development-451-Single-Family Residence-7 (PD-451-SF-7), and Planned Development-48-Single-Family Residence-6 (PD-48-SF-6).

To the north, is undeveloped property and a multifamily residential development that are both zoned Commercial Employment (CE).

The properties to the east, across Preston Road, are a combination of existing retail/commercial uses and undeveloped land. The properties north of Nueces Drive are zoned Planned Development-176-Retail (PD-176-R) while the properties to the south of Nueces Drive are zoned Retail (R).

Lastly, the property to the south is developed as single-family residential and is zoned Planned Development-17-Single-Family Residence-6 (PD-17-SF-6).

Proposed Planned Development Stipulations

The requested zoning is PD-R. The property is divided into two tracts (Tract 1 and Tract 2) and the development stipulations proposed apply to both tracts unless otherwise noted as tract specific. There are two primary parts to this request: land use and design standards.

Land Use - The request proposes to change the underlying zoning from R/MF-2 to R only to allow for retail, restaurant, office, hotel and mini-warehouse/public storage uses. Currently, all of these uses are allowed within the R district with exception that mini-warehouse/public storage is allowed subject to approval of a specific use permit. The request proposes to allow one mini-warehouse/public storage development only by right on the undeveloped land (Tract 2) and to prohibit mini-warehouse/public storage on the southern portion that is already predominantly developed (Tract 1).

Multifamily residential is an allowed use within the current zoning district, PD-447-R/MF-2, and is limited to 12 to 16 acres. The proposed PD-R zoning district does not allow multifamily residential for the area of request.

Design Standards - The request proposes to use the R district as a base zoning district with modifications to increase the maximum allowable building square footage (density), increase the maximum building height, modify parking requirements for mini-warehouse/public storage, and establish lot coverage and floor area ratio requirements. The request also seeks to amend signage regulations as required by the Preston Road Overlay District.

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Community Commercial. The requested rezoning is in conformance with the Community Commercial land use designation.

Adequacy of Public Facilities - Water and sanitary sewer services are available for the existing developed portion of the subject property. Water is available for the undeveloped portion of the subject property; however, sanitary sewer will have to be extended to service the property.

Traffic Impact Analysis (TIA) - A TIA has been reviewed by the city's Transportation Engineering Division. The traffic modeling demonstrates that the proposed increase in density adds a negligible amount of traffic to nearby intersections. Following this staff report is a memo from Jeff Green, Senior Transportation Engineer, that summarizes his assessment of the TIA.

ISSUES:

Mini-warehouse/public storage:

Presently, PD-447-R/MF-2 allows mini-warehouse/public storage subject to approval of a specific use permit, with no limitation on the number of mini-warehouse/public storage developments that could be built. Although the applicant is proposing to prohibit this use within Tract 1, there is likely not sufficient property available in Tract 1 to accommodate this type of development. Tract 2, however, does have sufficient land area to accommodate this type of development. The applicant is requesting to allow only one mini-warehouse/public storage development by right. The applicant is willing to limit the access to individual units from the interior of the building so that individual units' overhead doors are not visible from surrounding properties and rights-of-way.

Maximum Allowable Building Area (Density):

The applicant proposes to increase the maximum allowable building area for the area of request from 500,000 total square feet to 927,000 total square feet. The maximum allowable building area is divided amongst the two tracts such that Tract 1 is limited to 269,000 square feet and Tract 2 is limited to 658,000 square feet of building area. The total requested density is less than the approximate 1,296,000 square feet allowed if the property were zoned as Retail only with no PD designation. A TIA was submitted to determine the potential traffic effects on nearby streets and intersections. The traffic modeling demonstrates that the proposed increase in density adds a negligible amount of traffic to nearby intersections.

Building Height:

The applicant is proposing to increase the maximum building height from two stories to six stories (105 feet) for Tract 2 only. However, buildings within 100 feet of residentially zoned properties shall have a maximum height of four stories (60 feet). The applicant is also proposing to exempt buildings from the residential slope setback requirements as required in the Zoning Ordinance. The requested height is less than what is allowed on other nonresidentially zoned properties at the intersection of Spring Creek Parkway and Preston Road which have unlimited height restrictions.

Signage:

The applicant is proposing signage regulations specific for the development to allow for urban signage combined with the suburban signage (i.e. typical retail shopping center signage) that is allowed within the Preston Road Overlay District with modifications. Examples of urban signage being requested include banners, a-frame signs, projecting signs, and kiosks. Suburban signage includes the typical wall signage on buildings, as well as the monument signage along streets that is found along the Preston Road corridor (pole signs are prohibited within the Preston Road corridor).

The applicant is requesting to be able to install two freestanding identification signs (one each on Preston Road and Spring Creek Parkway), with a maximum 35-foot tall height

limit, to span the main driveway entrances to reflect the development name (i.e. Lakeside Market). The maximum allowable height for signs in the Preston Road corridor is eight feet. Given the additional height being requested for the two freestanding identification signs, the applicant is proposing to limit the amount of multipurpose and general business monument signage along Preston Road, Spring Creek Parkway, and Lorimar Drive/Bay Water Drive. The sign quantity limitations being proposed are generally consistent with what is allowed today in accordance with zoning requirements and may be further limited in the future depending upon the ultimate lot design.

Staff does not have a concern with the requested urban signage such as the a-frame signs, projecting signs, and kiosks. Given the size of the overall development, these signs will likely not be visible from nearby public rights-of-way. However, staff cannot support the requested banner signs. The applicant is requesting to be able to install banner signs on private property. The banner signs may be mounted to buildings, parking structures, and/or light standards. The applicant would like to be able to display artwork or a message that pertains to the district and prohibit commercial advertising on the banners. The banners would be limited to 17.5 square feet in size, provide a minimum 14 foot clearance above the paved surface, and be limited to 50% of the light standards on the property or a maximum of two banner signs per acre based upon the platted lot size, whichever is less.

The City Council appointed a Banner Sign Committee in 2004 to study and develop regulations pertaining to allowing banner signs throughout the city. Although sign standards were drafted, the committee did not agree to allow the signs due to concerns pertaining to enforcement of new regulations, the number and placement of banner signs, and the time limits for sign permits. Banner signs are presently allowed only in Planned Development-65-Central Business-1 (Legacy Town Center). The city also places banner signs on light standards in the public right-of-way.

Banner signs are typically considered appropriate within urban developments and are generally limited to streets and are not found in surface parking lots. Buildings are placed close to the streets, therefore limiting the available opportunities for banners within the street corridor. Additionally, urban mixed-use developments typically have very limited surface parking. Overall, banners are physically limited as to where they can be placed.

For suburban shopping centers, such as the existing Lakeside Market and many others throughout the city at typical major intersections, the overall public space is much larger. Buildings are pushed farther away from the streets with large parking lots between the buildings and public streets. If banners are allowed to be placed on light standards within parking lots, the area can become visually cluttered due to the potential quantity of banners that can be displayed. Given that the Banner Sign Committee did not recommend allowing banners in these settings, staff does not support the applicant's request.

SUMMARY:

The proposed rezoning request seeks to rezone 58.4± acres located at the southwest corner of Preston Road and Spring Creek Parkway **from** PD-447-R/MF-2 **to** PD-R. The PD district proposes a variety of retail, restaurant, office, hotel uses, as well as allowing for one mini-warehouse/public storage use by right on the undeveloped portion of the area of request. The PD also proposes to increase the maximum allowable building square footage (density), increase the maximum building height, modify parking requirements for mini-warehouse/public storage, and modify signage requirements. The requested zoning is consistent with the Comprehensive Plan, as well as being compatible with nearby zoning districts at the intersection of Spring Creek Parkway and Preston Road. Staff supports the combination of urban and suburban signage with exception of the banner signs being proposed.

RECOMMENDATION:

Recommended for approval subject to:

1. Banner signs being prohibited within the proposed Planned Development-Retail ordinance; and

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

The request is for PD-R zoning with the following stipulations:

General Conditions for the Planned Development District:

1. The map attached hereto as Exhibit A (Zoning Exhibit) is hereby adopted as part of this ordinance.

2. The regulations within this planned development district shall apply to all properties within the district, unless otherwise specified for a particular tract as depicted on Exhibit A.

Specific Provisions of the Planned Development District:

1. Additional Permitted Uses:

    a. One mini-warehouse/public storage development only shall be allowed by right on Tract 2 provided that access to all units must be from the interior of the building.

    b. Mini-warehouse/public storage developments are prohibited on Tract 1.

2. Area, Yard, and Bulk Requirements:

   a. Maximum Allowable Building Area (excluding parking garages):

      i. Tract 1 – 269,000 square feet.

      ii. Tract 2 – 658,000 square feet.

   b. Maximum Height:

      i. Tract 1 – Two Stories (50 feet).

      ii. Tract 2 – Maximum six stories (105 feet), except structures within 100 feet of residentially zoned properties shall have a maximum height of four stories (60 feet). Buildings and parking structures in Tract 2 are exempt from residential slope setback requirements in Subsections 3.511, 3.606, and 3.704.

   c. Maximum Floor Area:

      i. Tract 1 – 0.6:1. Parking structures shall be excluded in the FAR calculations.

      ii. Tract 2 – 1:1. Parking structures shall be excluded in the FAR calculations.

   d. Maximum Lot Coverage: 50%. Parking structures shall be excluded in the lot coverage calculations.

3. Parking:

   a. Mini-warehouse/public storage: one space per 3,000 square feet.

   b. Parking for all other uses shall be in accordance with Section 3.1100 (Off-Street Parking).

4. General Requirements/Other:

   Pad sites (structures less than 5,000 square feet) shall be limited to one site per five acres.

5. Signage Regulations:

In addition to signs permitted by Section 3-1600 of the Zoning Ordinance and as amended by the Preston Road Overlay District (Section 4-500), the following additional signs and/or revised sign definitions and standards are permissible:

a. Freestanding Identification Signs

i. General

A maximum of two freestanding identification signs shall be permitted. One sign may be located along Spring Creek Parkway within Tract 2 and one sign may be located along Preston Road within Tract 1. The sign may be an architectural entry feature that spans the driveway entrance and the height shall be limited to maximum 35 feet.

ii. Size

Sign copy area shall be limited to maximum 150 square feet and shall span the driveway entrance only.

iii. Setbacks

Freestanding identification signs may be located within the required front yard setback and are exempt from the requirement that they be located at least 30 feet from a property line and are exempt from the requirement that they be located at least 60 feet from a general business sign.

b. Multipurpose Signs

Multipurpose signs shall be prohibited along Spring Creek Parkway and Preston Road.

c. General Business Signs

General business signs may be used and shall comply with the standards in Section 3-1600 as amended by the Preston Road Overlay District (Section 4-500). The maximum number of general business signs along Preston Road shall be ten, the maximum number of general business signs along Spring Creek Parkway shall be five, and the maximum number of general business signs along Lorimar Drive/Bay Water Drive shall be five.

d. Identification Signs

One identification sign is allowed at the southwest corner of Spring Creek Parkway and Preston Road only. The sign shall not exceed 100 square feet in sign copy area and the sign copy area may be incorporated into a masonry retaining wall.

e. Directional Signs

i. General

A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, retail, office, hotel, or parking areas. A directional sign may be a freestanding sign, a wall sign, a projecting sign, or mounted to a vertical support. These signs shall not contain advertising and shall be specifically directional in nature.

ii. Size

A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is three feet wide. The bottom of the sign shall not fall below seven feet from the ground surface.

f. Directory Map

i. General

A directory map is a noncommercial map listing the occupants within a shopping center, retail district, office district, or commercial site. A directory map may be free standing, mounted to a wall, mounted to a vertical support, or incorporated into a kiosk. A directory map is used to provide wayfinding information for pedestrians.

ii. Size

A directory map shall not exceed 28 square feet.

g. Sloping Roof Signs

i. General

A sloping roof sign sits at the base of a sloping roof structure/awning element and does not extend above the roofline of the structure or element.

ii. Size

Sloping roof sign height shall not exceed one third of the height of the sloping roof seen in true elevation.

h. A-frame Signs

ii. General

An A-frame sign is a self-supporting A-shaped sign with two visible sides that is located on or adjacent to a private sidewalk. The sign shall be sufficiently weighted or anchored.

ii. Size

The maximum square footage is eight square feet per sign face and the maximum sign height is four feet high.

i. Projecting Signs

i. General

Projecting signs must keep a minimum clearance of eight feet above the sidewalk.

ii. Size

The horizontal portion of any projecting sign shall not be more than six feet six inches in length measured from the building face. The projecting sign shall not exceed 18 square feet per side.

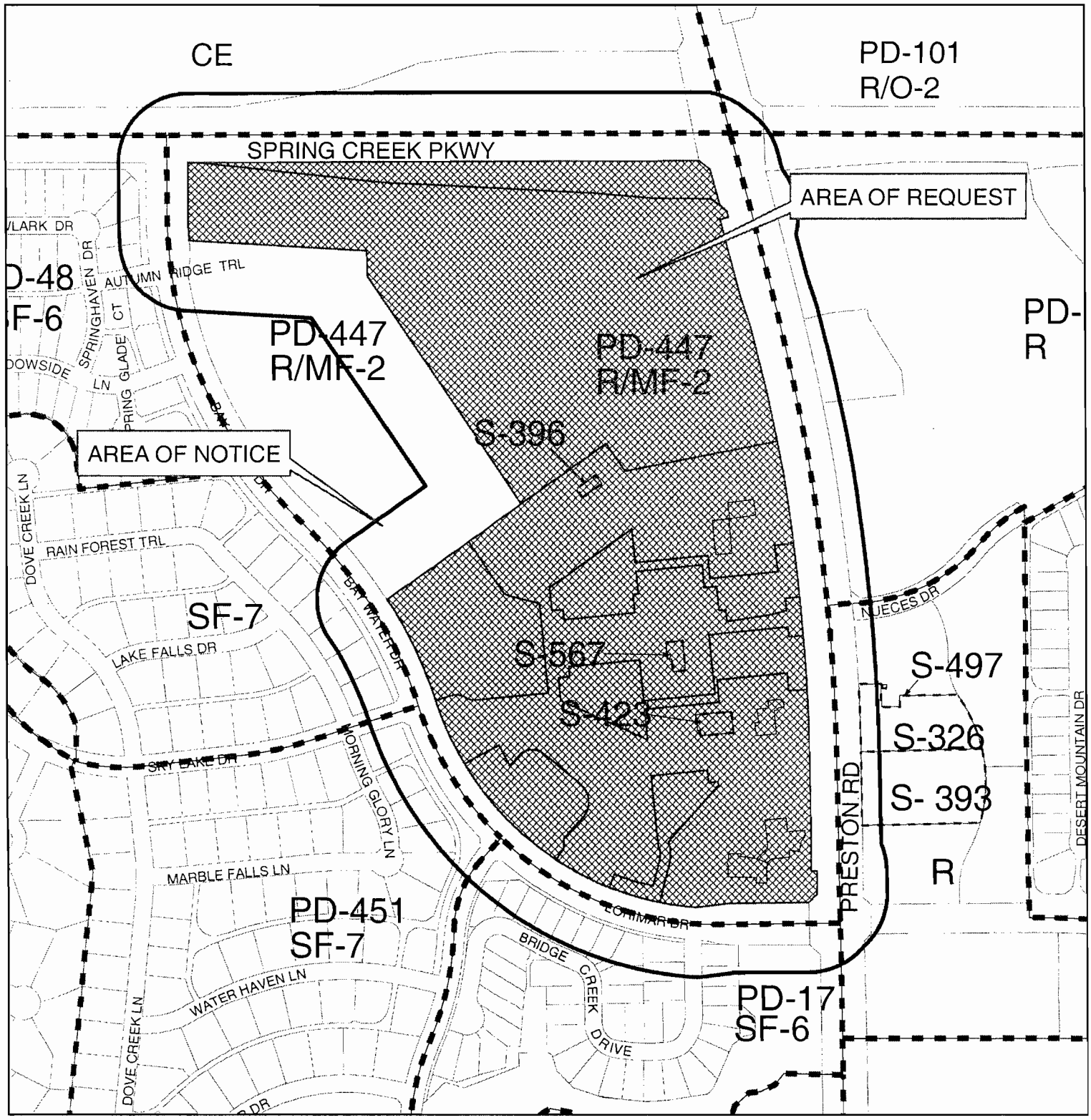
j. Kiosks

i. General

Freestanding kiosk structures may be erected on individual lots. All accessibility and visibility requirements must be met. A maximum of eight freestanding kiosks may be installed within the zoning district; a maximum of four kiosks within Tract 1 and a maximum of four kiosks within Tract 2. Kiosks may display directory maps, artwork, or messages that pertain to the district or special events or be used for commercial advertising signs and/or merchandising sales.

ii. Size

Signage on kiosks may not exceed 60 square feet. For multiple-sided kiosks, the gross surface area of each side shall not exceed two times the allowable square footage divided by the number of sign faces.

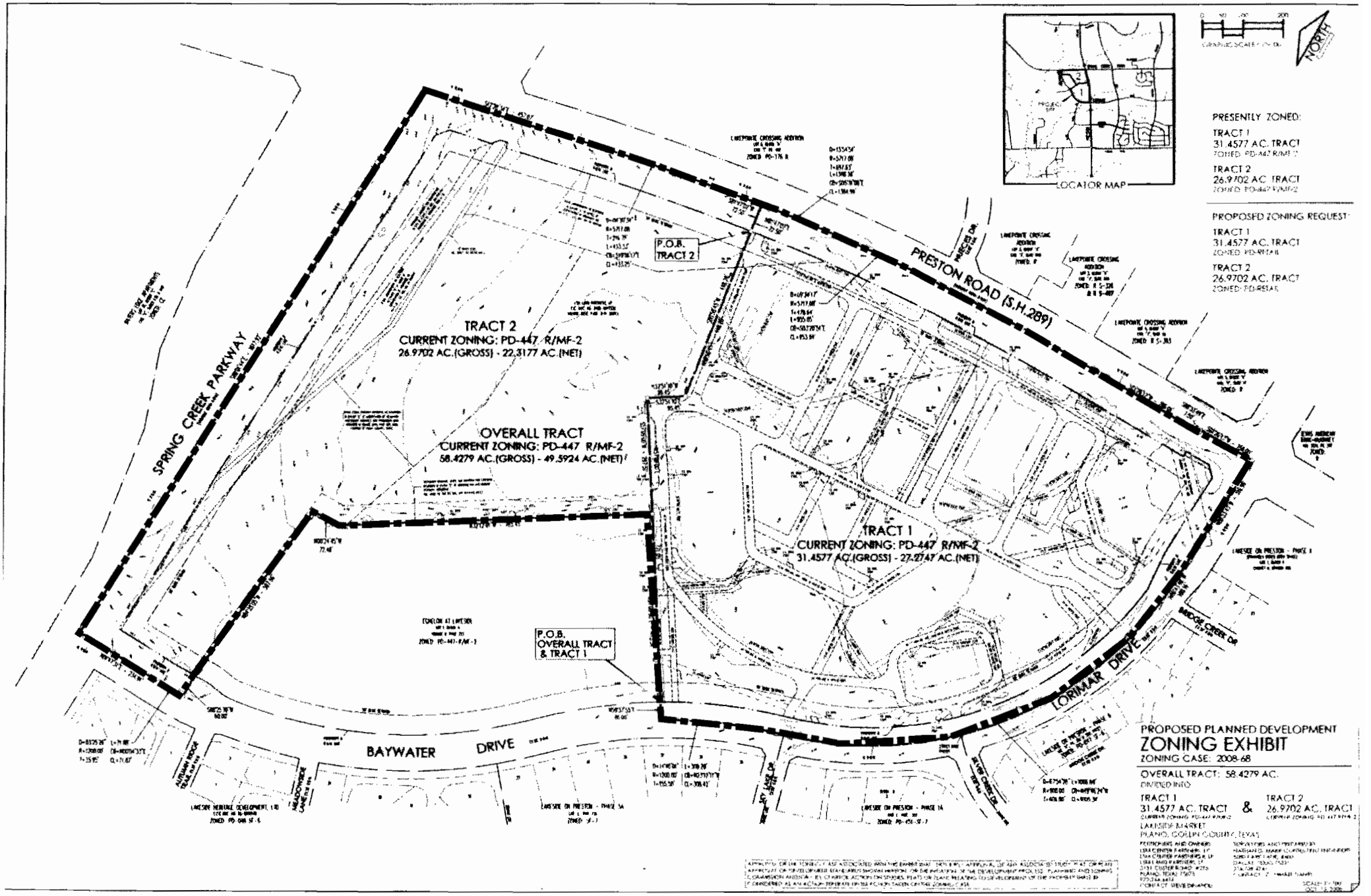


plano gis

Zoning Case #: 2008-68

Existing Zoning: PLANNED DEVELOPMENT-447-RETAIL/MULTIFAMILY RESIDENCE-2/ PRESTON ROAD OVERLAY DISTRICT

○ 200' Notification Buffer


LOCATOR MAP
NORTH
PRESENTLY ZONED:
TRACT 1
31.4577 AC. TRACT
ZONED: PD-447 R/MF-2
TRACT 2
26.9702 AC. TRACT
ZONED: PD-447 R/MF-2
PROPOSED ZONING REQUEST:
TRACT 1
31.4577 AC. TRACT
ZONED: PD-RETAIL
TRACT 2
26.9702 AC. TRACT
ZONED: PD-RETAIL
TRACT 2
CURRENT ZONING: PD-447 R/MF-2
26.9702 AC.(GROSS) - 22.3177 AC.(NET)
OVERALL TRACT
CURRENT ZONING: PD-447 R/MF-2
58.4279 AC.(GROSS) - 49.5924 AC.(NET)
TRACT 1
CURRENT ZONING: PD-447 R/MF-2
31.4577 AC.(GROSS) - 27.2747 AC.(NET)
P.O.B. TRACT 2
P.O.B. OVERALL TRACT & TRACT 1
PRESTON ROAD (S.H.289)
SPRING CREEK PARKWAY
BAYWATER DRIVE
LORIMAR DRIVE
PROPOSED PLANNED DEVELOPMENT
ZONING EXHIBIT
ZONING CASE: 2008-68
OVERALL TRACT: 58.4279 AC.
DIVIDED INTO
TRACT 1
31.4577 AC. TRACT
&
TRACT 2
26.9702 AC. TRACT
LAKESIDE MARKET
PLANO, COLLIN COUNTY, TEXAS

OVERALL TRACT - BOUNDARY DESCRIPTION

BEING a tract of land located in the ROBERT BENEFIELD SURVEY, Abstract Number 99, in the City of Plano, Collin County, Texas and being all of that certain tract of land described in deed to LSM Land Partners, L.P. as recorded in Volume 5852, Page 3172 of the Deed Records of Collin County, Texas and also being all of that certain tract of land being the Replat of Lakeside Market Addition, Phase 1, Lots 1R, 2, 3, 4, 5 and 6, Block A, an addition to the City of Plano as recorded in Volume 2006, Page 445 of the Official Public Records of Collin County, Texas and also being a portion of Spring Creek Parkway (variable width right-of-way), Preston Road (variable width right-of-way) (S.H. 289), Lorimar Drive (variable width right-of-way) and Baywater Drive (variable width right-of-way) and being more particularly described as follows:

BEGINNING at a 3-inch aluminum disk in concrete found for the northwest corner of said Lakeside Market Addition and also being in the east right-of-way of said Baywater Drive (called 92 foot right-of-way at this point by dedication according to the plat recorded in Cabinet H, Slide 369 of the Plat Records of Collin County, Texas);

THENCE North 57°09'00" East, leaving the east right-of-way of said Baywater Drive and going with a northerly line of said Lakeside Market Addition, a distance of 473.54 feet to a 1/2-inch iron rod with NDM cap found for the most southerly corner of said LSM Land Partners Tract;

THENCE North 32°12'01" West, with the southwest line of said LSM Land Partners Tract, a distance of 785.45 feet to a 1/2-inch iron rod found for corner;

THENCE North 00°24'45" West, with a westerly line of LSM Land Partners Tract, a distance of 72.48 feet to a 1/2-inch iron rod with NDM cap found for corner;

THENCE North 84°35'05" West, with a southerly line of said LSM Land Partners Tract, a distance of 507.66 feet to a 1/2-inch iron rod with NDM cap found for the most westerly southwest corner of said LSM Land Partners Tract, also being in the east right-of-way line of said Baywater Drive (called 120 foot right-of-way at this point);

THENCE South 88°25'10" West, crossing said Baywater Drive, a distance of 60.00 feet to the centerline of said Baywater Drive at the beginning of a non-tangent curve to the right having a central angle of 3°25'56", a radius of 1200.00 feet, a tangent length of 35.95 feet and a chord which bears N 00°04'33" E, 71.87 feet;

THENCE with said non-tangent curve to the right and said centerline of Baywater Drive, an arc distance of 71.88 feet;

THENCE North 01°47'31" East, continuing with the said centerline of Baywater Drive, a distance of 234.91 feet to the centerline intersection of said Baywater Drive and the aforementioned Spring Creek Parkway;

THENCE South 88°01'44" East, with said centerline of Spring Creek Parkway, a distance of 1617.92 feet to the centerline intersection of said Spring Creek Parkway and the aforementioned Preston Road;

THENCE South 12°28'34" East, with the centerline of said Preston Road, a distance of 457.07 feet to the beginning of a non-tangent curve to the right having a central angle of 13°45'51", a radius of 5717.08 feet, a tangent length of 697.63 feet and a chord which bears S 05°31'08" E, 1384.99 feet;

THENCE with said non-tangent curve to the right and said centerline of Preston Road, an arc distance of 1388.38 feet;

THENCE South 01°26'17" West, with said centerline of Preston Road, a distance of 286.01 feet;

THENCE South 88°33'49" East, with said centerline of Preston Road, a distance of 7.50 feet,

THENCE South 01°26'17" West, with said centerline of Preston Road (called 130 foot right-of-way at this point according to said Lakeside Market Addition plat), a distance of 150.00 feet to the centerline intersection of Preston Road and the aforementioned Lorimar Drive;

THENCE North 88°33'43" West, with the centerline of said Lorimar Drive, a distance of 316.98 feet;

THENCE North 86°43'48" West, with said centerline of Lorimar Drive (called 120 foot right-of-way at this point by dedication according to the aforementioned plat recorded in Cabinet H, Slide 369), a distance of 100.16 feet to the beginning of a non-tangent curve to the right having a central angle of 67°54'28", a radius of 900.00 feet, a tangent length of 606.00 feet and a chord which bears N 49°46'24" W, 1005.34 feet;

THENCE with said non-tangent curve to the right and said centerline of Lorimar and the aforementioned centerline of Baywater Drive, an arc distance of 1066.69 feet to an "X" found cut for the centerline of Baywater Drive (called 92 foot right-of-way at this point by dedication according to the aforementioned plat recorded in Cabinet H, Slide 369) of the beginning of a non-tangent curve to the left having a central angle of 14°46'01", a radius of 1200.00 feet, a tangent length of 155.50 feet and a chord which bears N 23°12'11" W, 308.42 feet;

THENCE with said non-tangent curve to the left and said centerline of Baywater Drive an arc distance of 309.28 feet;

THENCE North 59°37'55" East, crossing said Baywater Drive a distance of 46.00 feet to the POINT OF BEGINNING of herein described tract, containing 2,545,121 square feet (or 58.4279 acres) of land, more or less.

TRACT 1 - BOUNDARY DESCRIPTION

BEING a tract of land located in the ROBERT BENEFIELD SURVEY, Abstract Number 99, in the City of Plano, Collin County Texas and being all of that certain tract of land being the Replat of Lakeside Market Addition, Phase 1, Lots 1R, 2, 3, 4, 5 and 6, Block A, an addition to the City of Plano as recorded in Volume 2006 Page 445 of the Official Public Records of Collin County, Texas and also being a portion of Preston Road (variable width right-of-way) (S.H 289), Lorimar Drive (variable width right-of-way) and Baywater Drive (variable width right-of-way) and being more particularly described as follows:

BEGINNING at a 3-inch aluminum disk in concrete found for the northwest corner of said Lakeside Market Addition and also being in the east right-of-way of said Baywater Drive (called 92 foot right-of-way at this point by dedication according to the plat recorded in Cabinet H, Slide 369 of the Plat Records of Collin County, Texas;

THENCE North 57°09'00" East, leaving the east right-of-way of said Baywater Drive and going with a northerly line of said Lakeside Market Addition, a distance of 771.05 feet to a 1-inch iron rod found for the most northerly corner of said Lakeside Market Addition;

THENCE South 32°51'10" East, with a northerly line of said Lakeside Market Addition, a distance of 95.45 feet to a 1 inch iron rod found for corner;

THENCE North 80°58'45" East, with a northerly line of said Lakeside Market Addition, a distance of 448.28 feet to a 3 inch aluminum disk in concrete found the northeast corner of said Lakeside Market Addition and also being in the west right-of-way line of said Preston Road (called 145 foot right-of-way at this point according to said Lakeside Market Addition plat);

THENCE North 81°47'02" East, crossing said Preston Road, a distance of 72.50 feet to the centerline of said Preston Road at the beginning of a non-tangent curve to the right having a central angle of 9°34'17", a radius of 5717.08 feet, a tangent length of 478.64 feet and a chord which bears S 03°20'51" E, 953.94 feet;

THENCE with said non-tangent curve to the right and said centerline of Preston Road, an arc distance of 955.05 feet;

THENCE South 01°26'17" West, continuing with the said centerline of Preston Road, a distance of 286.01 feet;

THENCE South 88°33'49" East, with said centerline of Preston Road a distance of 7.50 feet;

THENCE South 01°26'17" West, with said centerline of Preston Road (called 130 foot right-of-way at this point according to said Lakeside Market Addition plat), a distance of 150.00 feet to the centerline intersection of Preston Road and the aforementioned Lorimar Drive;

THENCE North 88°33'43" West, with the centerline of said Lorimar Drive, a distance of 316.98 feet,

THENCE North 86°43'48" West, with said centerline of Lorimar Drive (called 120 foot right-of-way at this point by dedication according to the aforementioned plat recorded in Cabinet H, Slide 369), a distance of 100.16 feet to the beginning of a non-tangent curve to the right having a central angle of 67°54'28", a radius of 900.00 feet, a tangent length of 606.00 feet and a chord which bears N 49°46'24" W, 1005.34 feet;

THENCE with said non-tangent curve to the right and said centerline of Lorimar and the aforementioned centerline of Baywater Drive, an arc distance of 1066.69 feet to an "X" found cut for the centerline of Baywater Drive (called 92 foot right-of-way at this point by dedication according to the aforementioned plat recorded in Cabinet H, Slide 369) of the beginning of a non-tangent curve to the left having a central angle of 14°46'01", a radius of 1200.00 feet, a tangent length of 155.50 feet and a chord which bears N 23°12'11" W, 308.42 feet,

THENCE with said non-tangent curve to the left and said centerline of Baywater Drive, an arc distance of 309.28 feet;

THENCE North 59°37'55" East, crossing said Baywater Drive, a distance of 46.00 feet to the POINT OF BEGINNING of herein described tract, containing 1,370,299 square feet (or 31.4577 acres) of land, more or less.

TRACT 2 - BOUNDARY DESCRIPTION

BEING a tract of land located in the ROBERT BENEFIELD SURVEY, Abstract Number 99, in the City of Plano, Collin County, Texas and being all of that certain tract of land described in deed to LSM Land Partners, L.P. as recorded in Volume 5852, Page 3172 of the Deed Records of Collin County, Texas and also being a portion of Spring Creek Parkway (variable width right-of-way) Preston Road (variable width right-of-way) (S.H. 289) and Baywater Drive (variable width right-of-way) and being more particularly described as follows:

BEGINNING at a 3-inch aluminum disk in concrete found for the southeast corner of said Lakeside Market Addition and also being in the west right-of-way of said Preston Road;

THENCE South 80°58'45" West, leaving the east right-of-way of said Baywater Drive and going with a southerly line of said LSM Land Partners Tract, a distance of 448.28 feet to a 1-inch iron rod found for corner;

THENCE North 32°51'10" West, with a southerly line of said LSM Land Partners Tract, a distance of 95.45 feet to a 1/2-inch iron rod found for corner;

THENCE South 57°09'00" West, with a southerly line of LSM Land Partners Tract, a distance of 297.51 feet to a 1/2-inch iron rod with NDM cap found for corner;

THENCE North 32°12'01" West, with a southerly line of said LSM Land Partners Tract, a distance of 785.45 feet to a 1/2-inch iron rod found for corner;

THENCE North 00°24'45" West, with a southerly line of said LSM Land Partners Tract, a distance of 72.48 feet to a 1/2-inch iron rod with NDM cap found for corner;

THENCE North 84°35'05" West, a distance of 507.66 feet to a 1/2 -inch iron rod with NDM cap found for the most westerly
southwest corner of said Lakeside Market Addition, also being in the east right-of-way line of the aforementioned Baywater Drive (called 120 foot right-of-way at this point);

THENCE South 88°25'10" West, crossing said Baywater Drive, a distance of 60.00 feet to the centerline of said Baywater Drive at the beginning of a non-tangent curve to right having a central angle of 3°25'56", a radius of 1200.00 feet, a tangent length of 35.95 feet and a chord which bears N 00°04'33" E, 71.87 feet

THENCE with said non-tangent curve to the right and said centerline of Baywater Drive, an arc distance of 71.88 feet

THENCE North 01°47'31" East, with said centerline of Baywater Drive, a distance of 234.91 feet to the centerline intersection of said Baywater Drive and the aforementioned Spring Creek Parkway;

THENCE South 88°01'44" East, with the centerline of said Spring Creek Parkway, a distance of 1617.92 feet to the centerline intersection at said Spring Creek Parkway and the aforementioned Preston Road;

THENCE South 12°28'34" East, with the centerline of said Preston Road, a distance of 457.07 feet to the beginning of a non-tangent curve to the right having a central angle of 4°20'3", a radius of 5717.08 feet, a tangent length of 216.78 feet and a chord which bears S 10°18'17" E, 433.25 feet;

THENCE with said non-tangent curve to the right and said centerline of Preston Road, an arc distance of 433.33 feet;

THENCE South 81°47'02" West, crossing said Preston Road, a distance of 72.50 feet to the POINT OF BEGINNING of herein described tract, containing 1,174,823 square feet (or 26.9702 acres) of land, more or less.

APPROVAL OF THE ZONING CASE ASSOCIATED WITH THIS EXHIBIT SHALL NOT IMPLY APPROVAL OF ANY ASSOCIATED STUDY, PLAT, OR PLAN. APPROVAL OF DEVELOPMENT STANDARDS SHOWN HEREON OR THE INITIATION OF THE DEVELOPMENT PROCESS. PLANNING AND ZONING COMMISSION AND/OR CITY COUNCIL ACTION ON STUDIES, PLATS OR PLANS RELATING TO DEVELOPMENT OF THIS PROPERTY SHALL BE CONSIDERED AS AN ACTION SEPERATE FROM ACTION TAKEN ON THIS ZONING CASE.

PROPOSED PLANNED DEVELOPMENT

ZONING EXHIBIT

ZONING CASE: 2008-68

OVERALL TRACT: 58.4279 AC.

DIVIDED INTO

TRACT 1
31.4577 AC. TRACT
CURRENT ZONING: PD-447 R/MF-2

&

TRACT 2
26.9702 AC. TRACT
CURRENT ZONING: PD-447 R/MF-2

LAKESIDE MARKET
PLANO, COLLIN COUNTY, TEXAS

PETITIONERS AND OWNERS:
LSM CENTER PARTNERS, LP
LSM CENTER PARTNERS II, LP,
LSM LAND PARTNERS, LP.
5151 CUSTER ROAD, #275
PLANO, TEXAS 75075
972.964.6414
CONTACT: STEVE DINAPOLI

SURVEYORS AND PREPARED BY:
NATHAN D. MAIER CONSULTING ENGINEERS
8000 PARK LANE, #620
DALLAS, TEXAS 75231
214.739.4741
CONTACT: C. MIHAEL DANIEL

SCALE: 1"=100'
OCT. 13, 2008

October 17, 2008

MEMO

To: Tom Elgin, Development Review Manager

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

Subject: 31/TIA for Zoning Case 2008-68 (SWC of Preston Road at Spring Creek Parkway)

The subject tract is located south of Spring Creek Parkway and west of Preston Road. Traffic impacts for zoning cases are evaluated using the city's TransCAD travel forecasting computer model. Proposed possible land uses associated with a given zoning request are compared to assumed land uses for that area within the model dataset, and adjustments are made. The data is then used to general a new traffic assignment for the entire city network. The volumes from that assignment represent "Proposed Traffic." The intersection levels of service from the proposed traffic are then compared to the levels of service from the base model conditions to determine the degree of impact a given request has on the assumed build out roadway system.

The proposed uses for the subject tract are quite similar to the land uses which were already assumed for this property, so the traffic volumes that result from the proposed traffic assignment were not significantly different from the base traffic assignment volumes. The trip generation projected by the proposed zoning adds negligible amount of trips that can be determined in the analysis. The traffic increase is 0.1% or less at all intersections evaluated within the study. No tangible, significant impacts to traffic are anticipated within the corridors.

All of the intersections in the study area were shown to operate at a Level of Service "D" or better under both existing and proposed traffic conditions, except for the Tennyson Parkway/Preston Road and Spring Creek Parkway/Preston Road intersections. The study shows projected levels of service "F" for Tennyson Parkway/Preston Road and projected levels of service "E" for Spring Creek Parkway/Preston Road under both base (existing) and proposed zoning conditions.

Based on the review of this study, staff agrees with the findings of the study which states that the development can be successfully incorporated into the surrounding roadway network. The site is near several major corridors, spreading the traffic load across many roadways and preventing significant impacts on any one roadway or intersection.

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

REPLY FORM

RECEIVED
OCT 15 2008
PLANNING DEPT.

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

Dear Commissioners:

All-America City

This letter is regarding Zoning Case 2008-68. This is a request to rezone 58.4± acres located at the southwest corner of Preston Road and Spring Creek Parkway from Planned Development-447-Retail/Multifamily Residence-2 **to** Planned Development-Retail. The requested zoning is Planned Development-Retail (PD-R). The proposed Planned Development (PD) district applies to the existing, partially developed nonresidential property (Lakeside Market), as well as the undeveloped property. The PD district proposes a variety of retail, restaurant, office and hotel uses, and allowing mini-warehouse/public storage by right. The PD also proposes to: increase density; modifying area, yard and bulk requirements including increasing building height; modifying parking requirements for mini-warehouse/public storage; and modifying signage and landscaping requirements.

This proposed rezoning request does not include the existing multifamily development on the east side of Bay Water Drive, 230± feet south of Spring Creek Parkway (Echelon at Lakeside). However, there is a companion zoning case (2008-70) pending for the existing multifamily development to rezone it from Planned Development-447-Retail/Multifamily Residence-2 (PD-447-R/MF-2) to Multifamily Residence-2 (MF-2).

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

_____ I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-68.

X I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-68.

This item will be heard on **October 20, 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.

BARBARA PERCIFIELD
Name (Please Print)

Barbara Percifield
Signature

5100 AUTUMN RIDGE TRAIL
PLANO, TX. 75093
Address

10-13-08
Date

TMF

Z:PH/2008-68P4

RECEIVED
OCT 0 3 2008
PLANNING DEPT.

REPLY FORM

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

Dear Commissioners:

All-America City

This letter is regarding Zoning Case 2008-68. This is a request to rezone 58.4± acres located at the southwest corner of Preston Road and Spring Creek Parkway **from** Planned Development-447-Retail/Multifamily Residence-2 **to** Planned Development-Retail. The requested zoning is Planned Development-Retail (PD-R). The proposed Planned Development (PD) district applies to the existing, partially developed nonresidential property (Lakeside Market), as well as the undeveloped property. The PD district proposes a variety of retail, restaurant, office and hotel uses, and allowing mini-warehouse/public storage by right. The PD also proposes to: increase density; modifying area, yard and bulk requirements including increasing building height; modifying parking requirements for mini-warehouse/public storage; and modifying signage and landscaping requirements.

This proposed rezoning request does not include the existing multifamily development on the east side of Bay Water Drive, 230± feet south of Spring Creek Parkway (Echelon at Lakeside). However, there is a companion zoning case (2008-70) pending for the existing multifamily development to rezone it from Planned Development-447-Retail/Multifamily Residence-2 (PD-447-R/MF-2) to Multifamily Residence-2 (MF-2).

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

____ I am **FOR** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-68.

X I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-68.

This item will be heard on **October 20, 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.

I Am totally AGAinst Any Mini Warehouse/ Public Storage or Hotels.

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

Ron Thornton
Name (Please Print)

Signature

5033 Bridge Creek Drive
Address Plano, TX 75093
TMF

9-30-08
Date

Z:PH/2008-68P4

RECEIVED
OCT 0 8 2008
PLANNING DEPT.

REPLY FORM

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

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Do not want mini-warehouse/public storage or increased density, or building height or parking modification or signage modification.

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

David W. Clotfelter
Name (Please Print)

Signature

5045 Badger Creek
Address
Plano Tx 75093
TMF

14/6/08
Date

Z:PH/2008-68P4

RECEIVED
OCT 0 7 2008
PLANNING DEPT

REPLY FORM

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

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I am against the rezpning if there is plans for warehouse storage or mini storage. As well certainly do not want to see hotel/motel in our remote area. I am not opposed to retail or offices with no more than two stories. Thank you for allowing me to vent.

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

Patti & David Brown
Name (Please Print)

Patti Brown / David Brown
Signature

5053 Bridge Creek Dr
Address
TMF Plano 75093

10/3/08
Date

Z:PH/2008-68P4

CITY OF PLANO

PLANNING & ZONING COMMISSION

October 20, 2008

Agenda Item No. 8B

Revised Concept Plan: Lakeside Market, Phases 1 & 2

Applicant: LSM Center Partners, LP

DESCRIPTION:

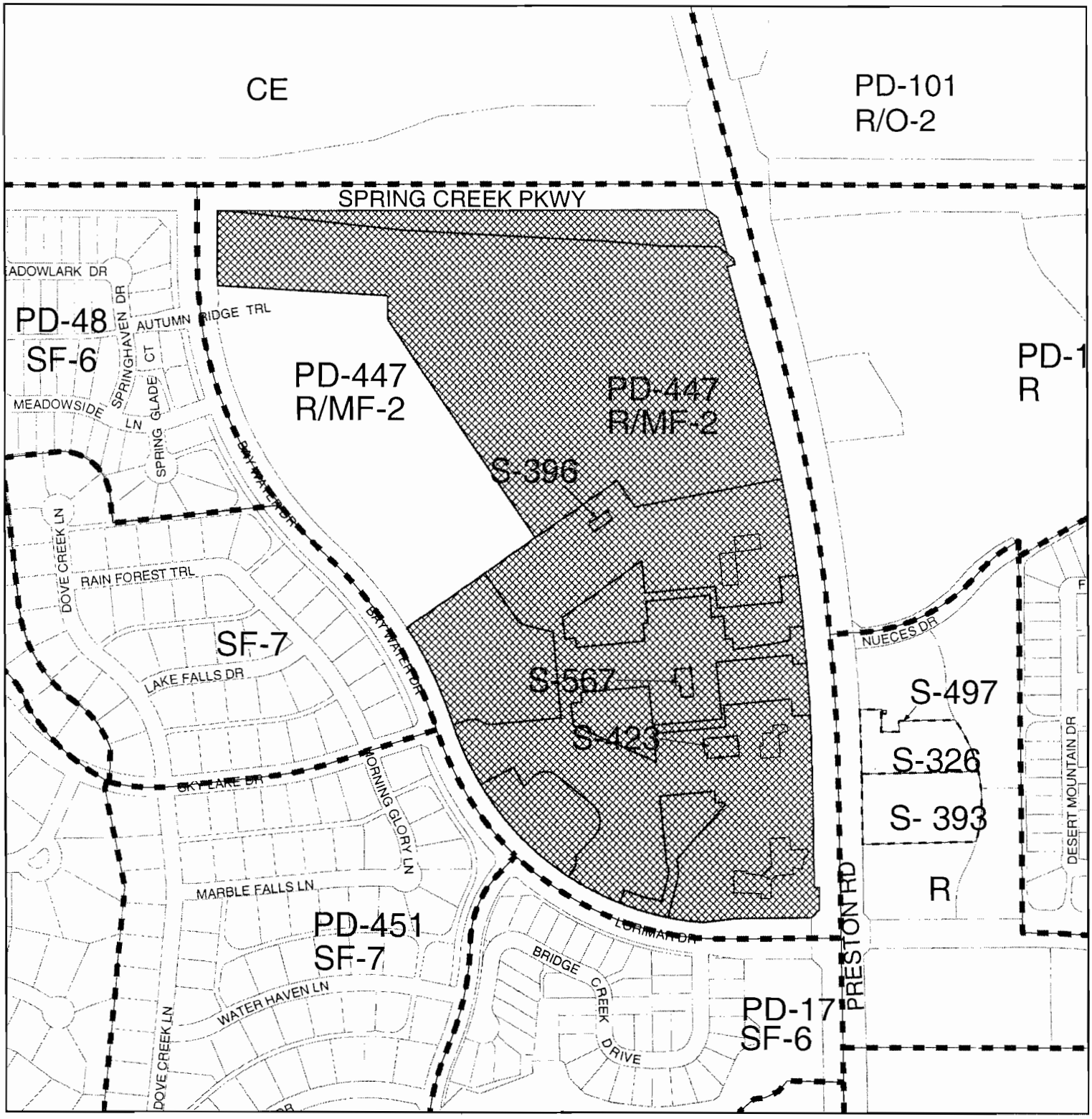
Multi-use development on seven lots on 49.5± acres located at the southwest corner of Preston Road and Spring Creek Parkway. Zoned Planned Development-447-Retail/Multifamily Residence-2. Neighborhood #31.

REMARKS:

This concept plan is associated with Zoning Case 2008-68. This planned development zoning request proposes a mix of retail, restaurant, office, hotel, and mini-warehouse/public storage uses. The concept plan is consistent with existing development conditions and prior plan approvals for the southern portion of the property (Tract 1) and depicts a potential development pattern for the northern portion of the site (Tract 2). As shown, the proposed plan complies with the companion zoning request.

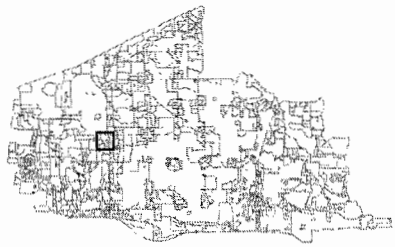
RECOMMENDATION:

Recommended for approval subject to City Council approval of Zoning Case 2008-68.



plano gis

Item Submitted: REVISED CONCEPT PLAN

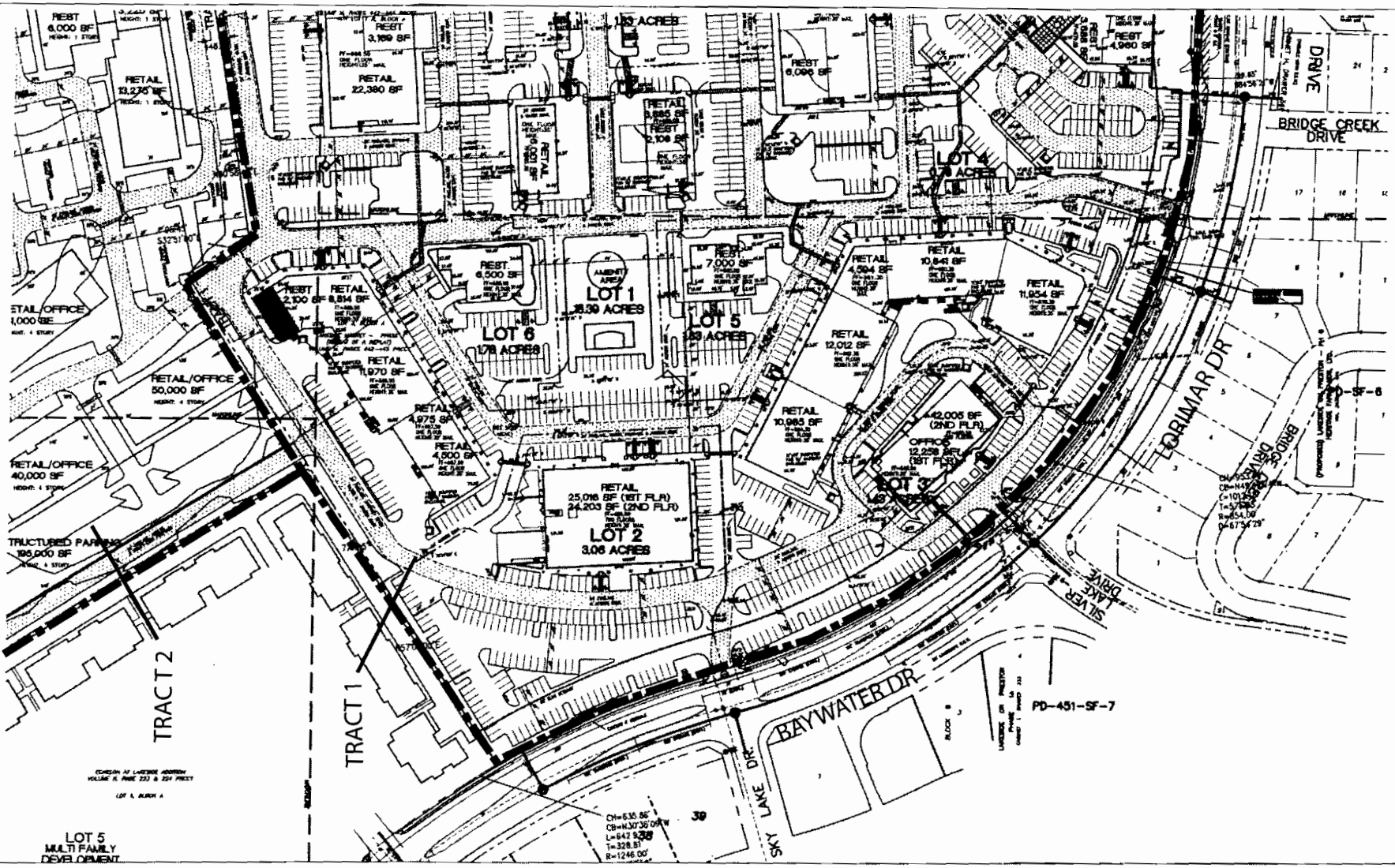


Title: LAKESIDE MARKET, PHASES 1 & 2

Zoning: PLANNED DEVELOPMENT-447-RETAIL/MULTIFAMILY RESIDENCE-2/ PRESTON ROAD OVERLAY DISTRICT

◯ 200' Notification Buffer

SPRING CREEK PKWY
TRACT 2
TRACT 1
PRESTON ROAD
PRESTON RD
(S.H. 289)
LORIMAR DR
SKY LAKE DR
PATIO HOME
LOT 5
LOT 2
VICINITY MAP
KEY PLAN
GOOD FULTON & FARRELL ARCHITECTS
2808 FAIRMOUNT STREET, SUITE 300
DALLAS, TEXAS 75201
P - 214.303.1500 F - 214.303.1512
DEVELOPER
LSM LAND PARTNERS, L.P. AND
LSM CENTER PARTNERS II, L.P. AND
LSM CENTER PARTNERS, L.P. STEVE DIVAPOU'
3131 CUSTER ROAD - SUITE 275
PLANO, TEXAS 75075
PH. (972) 984-6414
SCALE 1:100
GRAPHIC SCALE IN FEET
TRACT 1 SITE AREA 27.27 ACRES
ZONING PD-447-R/MF-2
TRACT 1, LOTS 1R-8, BLOCK A AREA 27.27 ACRES
EXISTING AND PROPOSED USE: RETAIL, OFFICE, & RESTAURANTS
ROBT. BENEFIELD SURVEY - ABST. 99
DATE OF PREPARATION 10/14/08
TRACT 2 SITE AREA 22.3177 ACRES
ZONING PD-447-R/MF-2
TRACT 2, LOTS 1 & 2, BLOCK B AREA: 22.3177 ACRES
PROPOSED USE: RETAIL, OFFICE, RESTAURANTS, HOTEL, MINI-WAREHOUSE/ PUBLIC STORAGE
ROBT. BENEFIELD SURVEY - ABST. 99
DATE OF PREPARATION 10/14/08
LAKESIDE MARKET ADDITION
1
5
NOTE:
REDUCED LANDSCAPE EDGE ALONG PRESTON ROAD AND SPRING CREEK PARKWAY PER SECTION 4.504 (1) (a).

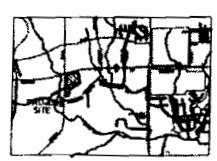


GRAPHIC SCALE IN FEET

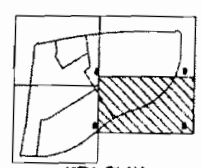
SCALE 1:60

GOOD FULTON & FARRELL ARCHITECTS
2808 FAIRMOUNT STREET, SUITE 300
DALLAS, TEXAS 75201
P - 214.303.1500 F - 214.303.1512

DEVELOPER
LSM LAND PARTNERS, L.P. AND
LSM CENTER PARTNERS II, L.P. AND
LSM CENTER PARTNERS, L.P. "STEVE DINAPOLI"
3131 CUSTER ROAD - SUITE 275
PLANO, TEXAS 75075
PH. (972) 964-6414



VICINITY MAP

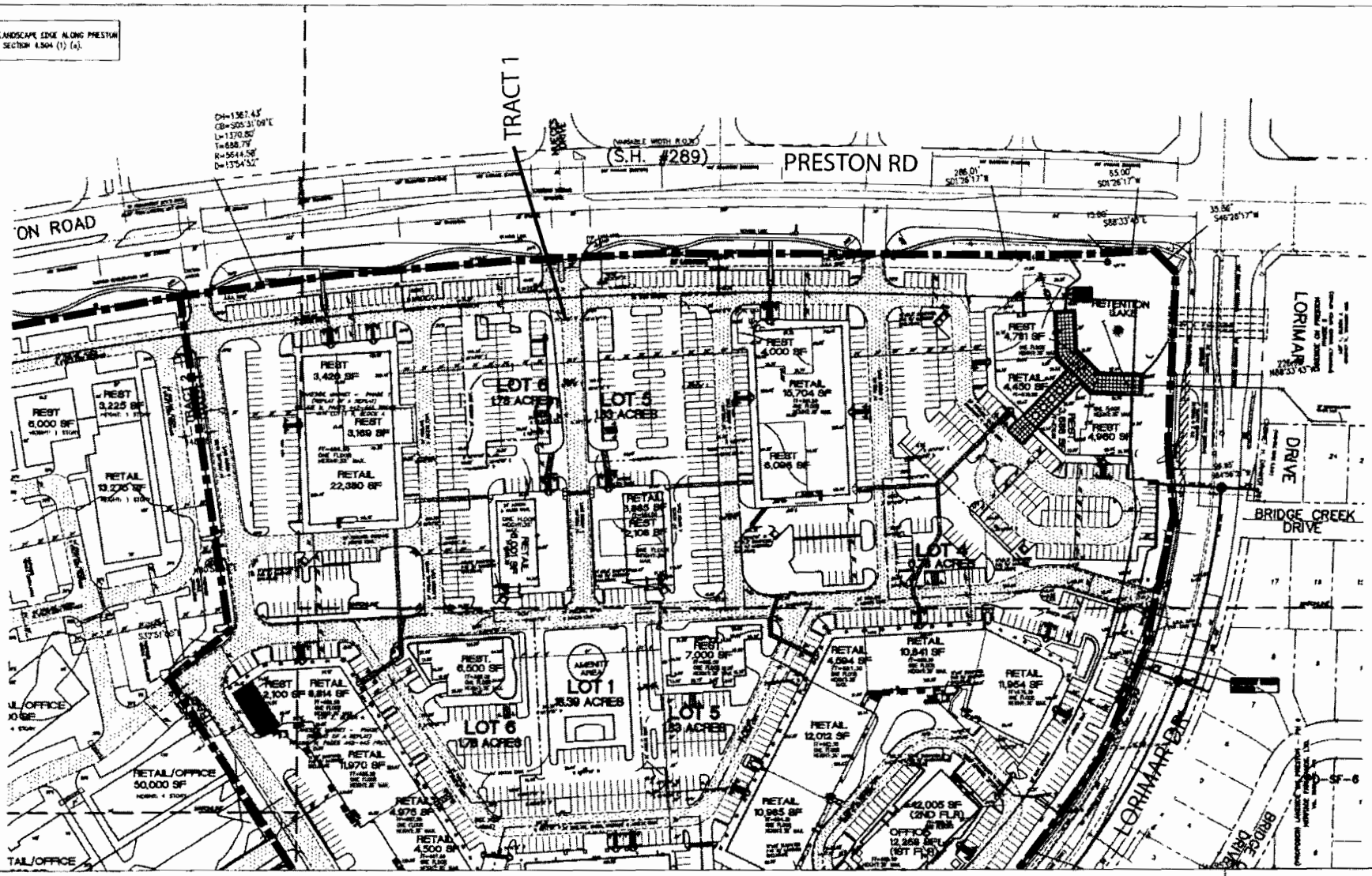


KEY PLAN

TRACT 1 SITE AREA 27.27 ACRES
ZONING PD-447-R/MF-2
TRACT 1, LOTS 1R-6, BLOCK A AREA: 27.27 ACRES
EXISTING AND PROPOSED USE: RETAIL, OFFICE, & RESTAURANTS
ROBT. BENEFIELD SURVEY - ABST. 99
DATE OF PREPARATION 10/14/06

LAKESIDE MARKET ADDITION
REVISED CONCEPT PLAN
TRACTS 1 AND 2
GROSS ACCURACY: 46.3877 ACRES
ROBT. BENEFIELD SURVEY - ABST. 99
CITY OF PLANO, COLLIN COUNTY, TEXAS

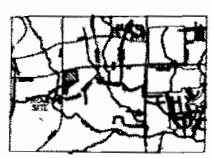
2 / 5



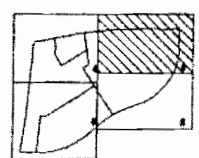
SCALE 1:60

GOOD FULTON & FARRELL ARCHITECTS
2808 FAIRMOUNT STREET, SUITE 300
DALLAS, TEXAS 75201
P - 214.303.1500 F - 214.303.1512

DEVELOPER:
LSM LAND PARTNERS, L.P. AND
LSM CENTER PARTNERS II, L.P. AND
LSM CENTER PARTNERS, L.P. 'STEVE DINAPOLI'
3131 CUSTER ROAD - SUITE 275
PLANO, TEXAS 75075
PH. (972) 984-8414



VICINITY MAP



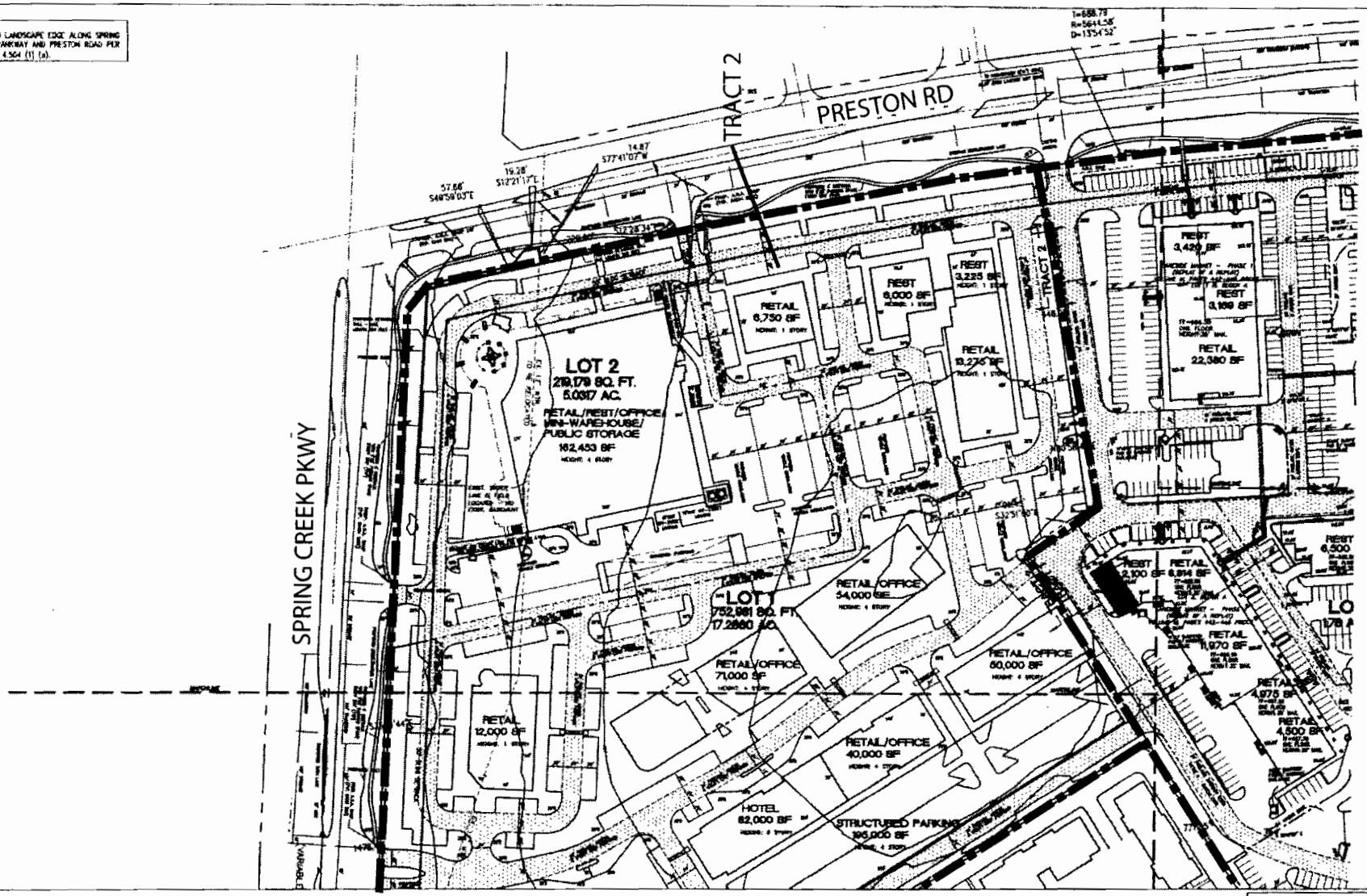
KEY PLAN

TRACT 1 SITE AREA 27.27 ACRES
ZONING PD-447-R/MF-2
TRACT 1, LOTS 1R-6, BLOCK A AREA: 27.27 ACRES
EXISTING AND PROPOSED USE: RETAIL, OFFICE, & RESTAURANTS
ROBT. BENEFIELD SURVEY - ABST. 99
DATE OF PREPARATION 10/14/08

LAKESIDE MARKET ADDITION
REVISED CONCEPT PLAN
TRACTS 1 AND 2
GROSS ACCRAGE: 48.3877 ACRES
ROBT. BENEFIELD SURVEY - ABST. 99
CITY OF PLANO, COLLIN COUNTY, TEXAS

3 / 5

NOTE:
REDUCED LANDSCAPE EDGE ALONG SPRING CREEK PARKWAY AND PRESTON ROAD PER SECTION 4.504 (1) (a).



SCALE 1:60

GOOD FULTON & FARRELL ARCHITECTS
2808 FAIRMOUNT STREET, SUITE 300
DALLAS, TEXAS 75201
P - 214.303.1900 F - 214.303.1912

DEVELOPER
LSM LAND PARTNERS, L.P. AND
LSM CENTER PARTNERS 6, L.P. AND
LSM CENTER PARTNERS, L.P. "STEVE DINAPOLI"
3131 CUSTER ROAD - SUITE 275
PLANO, TEXAS 75075
PH. (972) 964-8414

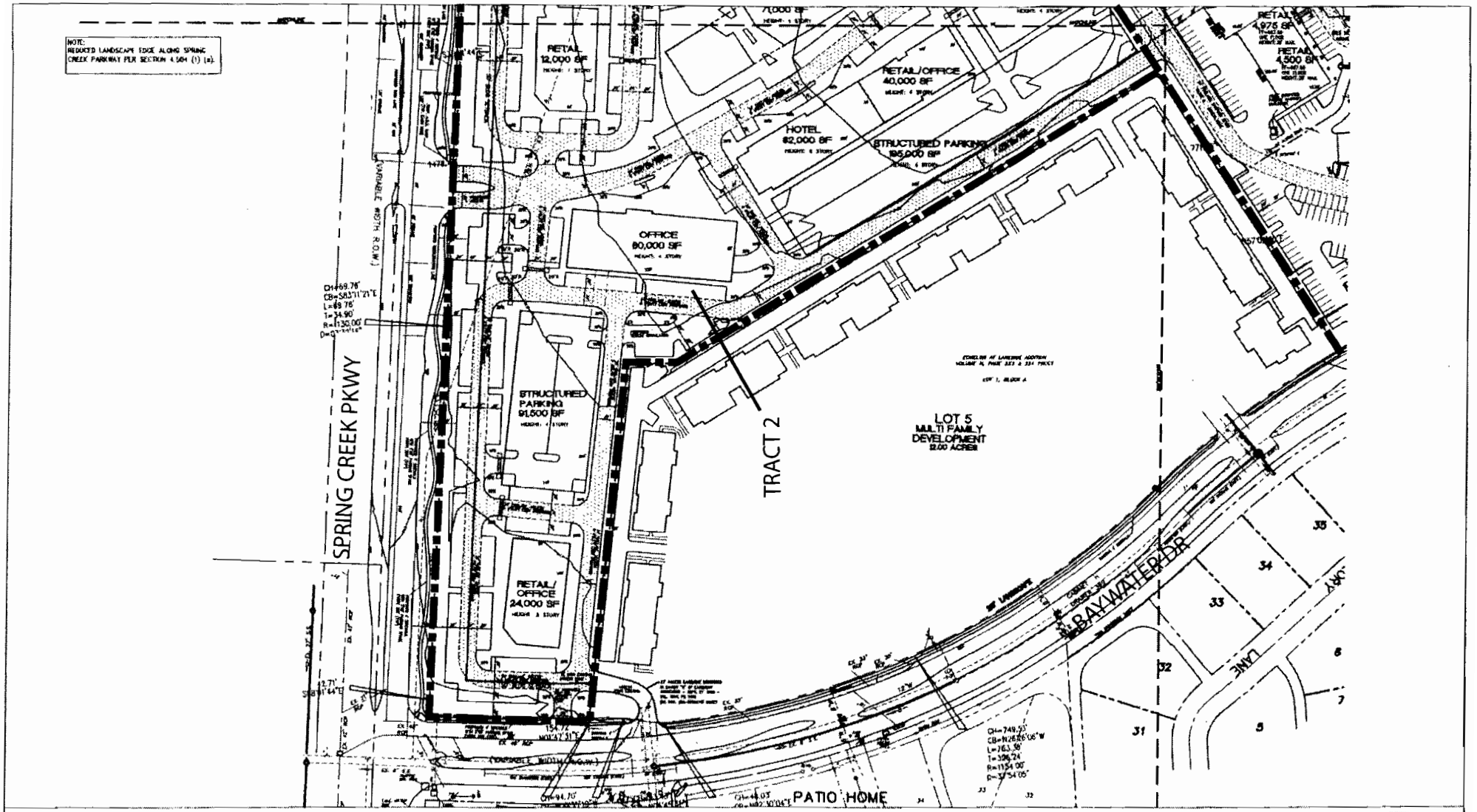
VICINITY MAP

KEY PLAN

TRACT 2 SITE AREA 22.3177 ACRES
ZONING PD-447-R/MF-2
TRACT 2, LOTS 1 & 2, BLOCK B AREA: 22.3177 ACRES
PROPOSED USE: RETAIL, OFFICE, RESTAURANTS, HOTEL, MINI-WAREHOUSE/ PUBLIC STORAGE
ROBT. BENEFIELD SURVEY - ABST. 69
DATE OF PREPARATION 10/14/08

LAKESIDE MARKET ADDITION
REVISED CONCEPT PLAN
TRACTS 1 AND 2
BEING ADDITIONS OF 22.3177 ACRES
ROBT. BENEFIELD SURVEY - ABST. 69
CITY OF PLANO, COLLIN COUNTY, TEXAS

4 / 5



SCALE 1:60

GOOD FULTON & FARRELL ARCHITECTS
2808 FAIRMOUNT STREET, SUITE 300
DALLAS, TEXAS 75201
P - 214.303.1500 F - 214.303.1812

DEVELOPER:
LSM LAND PARTNERS, L.P. AND
LSM CENTER PARTNERS II, L.P. AND
LSM CENTER PARTNERS, L.P. 'STEVE DIMAPOLI'
3131 CUSTER ROAD - SUITE 275
PLANO, TEXAS 75075
PH. (972) 964-8414

VICINITY MAP

KEY PLAN

TRACT 2 SITE AREA 22.8177 ACRES±
ZONING: PD-447-R/MF-2
TRACT 2, LOTS 1 & 2, BLOCK B AREA: 22.3177 ACRES
PROPOSED USE: RETAIL, OFFICE, RESTAURANTS, HOTEL, MINI-WAREHOUSE/
ROBT. BENEFIELD SURVEY - ABST. 99 PUBLIC STORAGE
DATE OF PREPARATION 10/14/08

LAKESIDE MARKET ADDITION
REVISED CONCEPT PLAN
LOTS 1 AND 2, BLOCK B
BEING ACCRUAL 22.8177 ACRES
ROBT. BENEFIELD SURVEY - ABST. 99
CITY OF PLANO, COLLIN COUNTY, TEXAS

date	dsgn	dwn	chkd	date	plot
10/14/2008					

sheet no. 5 / 5
job number
08010

CITY OF PLANO

PLANNING & ZONING COMMISSION

October 20, 2008

Agenda Item No. 9

Public Hearing: Zoning Case 2008-70

Applicant: City of Plano

DESCRIPTION:

Request to rezone 12.0± acres located on the east side of Bay Water Drive, 230± feet south of Spring Creek Parkway **from** Planned Development-447-Retail/Multifamily Residence-2 **to** Multifamily Residence-2. Zoned Planned Development-447-Retail/Multifamily Residence-2.

REMARKS:

The area of request is the existing multifamily residential development located on the east side of Bay Water Drive, 230± feet south of Spring Creek Parkway (Echelon at Lakeside). The property is presently zoned Planned Development-447-Retail/Multifamily Residence-2 (PD-447-R/MF-2) which governs all of the properties bounded by Spring Creek Parkway, Preston Road, and Lorimar Drive/Bay Water Drive.

This is a city-initiated zoning request and is a companion zoning case to Zoning Case 2008-68 on this same meeting agenda. The reason for this rezoning request is because the adjacent property owner is requesting that his property located at the southwest corner of Preston Road and Spring Creek Parkway be severed from the existing PD-447-R/MF-2 district. If the adjacent property is successfully rezoned, then the zoning for this residentially developed property must also be addressed.

As stated previously, the current zoning is PD-447-R/MF-2. The Retail (R) district is intended to provide areas for neighborhood, local, and regional shopping facilities for the retail sales of goods and services including convenience stores, shopping centers, and regional malls, but not including wholesaling or warehousing. The Multifamily Residence-2 (MF-2) district is intended to accommodate condominiums and apartments at a density of 18 residential units per acre providing sufficient areas for usable open space and landscaping. A planned development (PD) district provides the ability to amend use, height, setback, and other development standards at the time of zoning to

promote innovative design and better development controls appropriate to both off- and onsite conditions. PD-447-R/MF-2 lirnited the area of multifamily residential development to 12 to 16 acres. It did not amend any of the standards of the MF-2 district.

The requested rezoning is MF-2. The requested zoning does not propose to change any of the current uses or standards for the subject property given its developed state.

If the companion rezoning request is approved, then office and retail development rights would still remain on this already developed multifamily residential property. The property was developed in accordance with the MF-2 zoning district; therefore, rezoning the property to MF-2 is appropriate. Should the companion rezoning request (2008-68) be denied, then staff recommends that this zoning request also be denied.

Surrounding Land Use and Zoning

The area of the request is presently developed as multifamily residential. The property to the east and north is undeveloped and zoned PD-447-R/MF-2. The properties to the south are presently developed as retail, restaurant, and office uses and are zoned PD-447-R/MF-2. To the west, across Bay Water Drive, are existing single-family residential homes, and the properties are zoned Single-Family Residence-7 (SF-7) and Planned Development-48-Single-Family-6 (PD-48-SF-6).

Conformance to the Comprehensive Plan

Future Land Use Plan - The Future Land Use Plan designates this property as Residential. The requested rezoning is in conformance with the Residential land use designation.

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

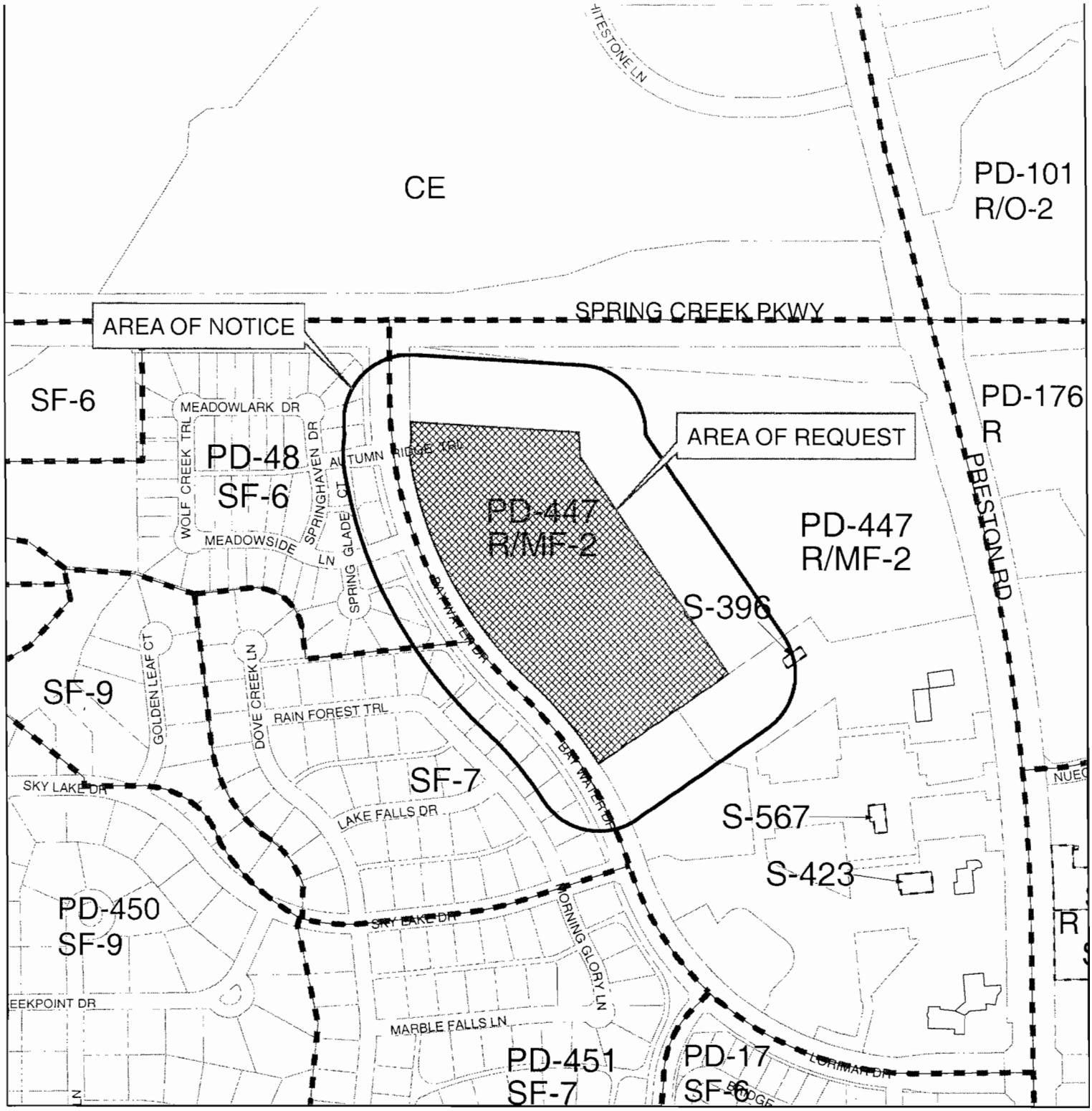
Traffic Impact Analysis (TIA) - Not required.

SUMMARY:

This proposed rezoning request is the result of a companion zoning case (Zoning Case 2008-68) pending for the adjacent properties to the north, east, and south. The property was developed in accordance with the MF-2 zoning district as a base zoning district given the existing PD-447-R/MF-2 zoning; therefore, rezoning the property to MF-2 is appropriate. Should the companion rezoning request (2008-68) be denied, then staff recommends that this zoning request also be denied.

RECOMMENDATION:

Recommended for approval as submitted subject to approval of Zoning Case 2008-68.



Zoning Case #: 2008-70

Existing Zoning: PLANNED DEVELOPMENT-447-RETAIL/MULTIFAMILY RESIDENCE-2

◯ 200' Notification Buffer

REPLY FORM

RECEIVED
SEP 30 2008
PLANNING DEPT

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

All-America City

Dear Commissioners:

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

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_____ I am **AGAINST** the requested zoning as explained on the attached cover sheet for Zoning Case 2008-70.

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

Lori Garrison
Name (Please Print)

Lori Garrison
Signature

5828 Morning Glory Lane
Address

9/29/08
Date

TMF
Z:PH/2008-70P4

RECEIVED
OCT 15 2008
PLANNING DEPT

REPLY FORM

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

Dear Commissioners:

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

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I BOUGHT A HOME IN AN AREA THAT WAS CONSIDERED IN ALL ZONING - TO CHANGE VIOLATES THE VALUE OF MY HOME !

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

PAUL PERCIFIELD
Name (Please Print)

Signature

5100 AUTUMN RIDGE
PLANO, 75093
Address

10-13-08
Date

TMF
Z:PH/2008-70P4

CITY OF PLANO

PLANNING & ZONING COMMISSION

October 20, 2008

Agenda No. 10

Public Hearing: Zoning Case 2008-71

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 Planning & Zoning 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 defined in the Zoning Ordinance. Last year, the city 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 had also been approached by golf course operators interested in erecting nets to address specific instances of golf balls being hit onto adjacent properties.

The Commission considered a Zoning Ordinance amendment on February 18, 2008, (Zoning Case 2007-16) that proposed establishing a definition for golf nets and allowing for 60-foot tall golf nets to be erected in conjunction with country club, outdoor commercial amusement, and golf course uses in any zoning district, but not residential uses. The Commission recommended denial and expressed concerns regarding setting precedence throughout the city for allowing golf nets and potential aesthetic and decreased property value issues associated with golf nets.

City Council considered the amendment on March 25, 2008. The Council denied the proposed ordinance amendment and sent the item back to the Commission to consider the following:

- Allowing existing nonconforming nets to remain up to a specified height to be determined;

- Allowing driving ranges only, whether on golf courses or independent businesses, to install nets; and

- Consider horizontal net options for residential properties.

Other than the mention of horizontal nets, staff did not receive clear, concise direction on whether to allow residents to install new nets beyond those nets that exist today.

At its meetings on August 18, 2008, and September 15, 2008, the Commission discussed potential Zoning Ordinance amendments pertaining to golf nets based upon the direction given from Council. The discussion was divided into two main areas - golf nets associated with residential uses, and golf nets associated with nonresidential uses.

The Commission recognized the need to protect people within their yards for their personal safety and was interested in allowing existing illegal nets to remain if brought into compliance with regulations that may be adopted pertaining to maximum height. Additionally, the Commission was interested in allowing new golf nets to be constructed on residential properties that may also be affected by errant golf balls. Golf courses can and often do change course layout, pin position, etc., to vary the play on the course and to respond to changes in golf club and ball technology that affect the distance and trajectory of a golf ball flight. The Commission also discussed that it may be appropriate to allow driving ranges only, whether as a primary use or as an accessory use to golf courses, country clubs (private), and/or outdoor commercial amusement uses, to erect nets.

The Commission's discussion included miscellaneous standards such as appropriate golf net materials, landscaping in conjunction with golf nets, and prohibition of sign placement on golf nets. While the Commission felt it was appropriate to regulate netting materials and prohibit sign placement on golf nets, they directed staff to not require landscaping to screen the nets. Several factors complicate installing landscaping in addition to the netting including allocating sufficient area to accommodate plant growth and maintenance, and damage to the golf nets caused by mature trees and shrubs.

REMARKS:

At its meeting on September 15, 2008, the Commission asked staff to bring back proposed ordinance amendments as follows:

Definition:

The following definition for golf nets is proposed:

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

Permitted Locations and Development Standards:

Residential Uses:

The proposed amendment allows for golf nets to be placed on residential properties (both single-family and multifamily) that are contiguous to a country club (private) or golf course, and on residential lots with frontage on a public right-of-way that separates the country club (private) or golf course from the residential lots. This would allow lots that are adjacent to golf course properties to place a net within their yard for protection from errant golf balls. Additionally, this would allow residential lots, such as those near the Los Rios golf course which side to a public street across from the golf course, to erect a net within their yard for protection from errant golf balls that may fly over/bounce off of the adjoining public street.

The maximum height proposed for golf nets on residential properties is 20 feet, including the structural supports. The golf nets may be vertical nets, horizontal, or sloping nets, or a combination thereof, and may create an enclosure of the yard area. Establishing a maximum height to address all situations is difficult given many variables. The terrain of the golf course properties, as well as the design of the golf courses, contribute significantly in determining how tall a net is needed to contain errant golf balls. By allowing a horizontal or sloping net option, this provides for an additional means for a property owner to protect their yard area.

Additionally, golf nets are proposed to be exempt from side and rear yard setback requirements and shall not extend forward of the primary structure(s) on the property. Allowing a consistent maximum height throughout a residential yard minimizes confusion for homeowners as to what is allowed and provides flexibility as to the placement of the net. It also simplifies enforcement of the ordinance and minimizes variable interpretations of the ordinance.

Driving Ranges:

The proposed amendment allows for golf nets to be placed on driving range properties only, whether as a primary use or as an accessory use to a golf course, country club (private), and/or outdoor commercial amusement uses, in any zoning district. The nets shall be prohibited in other areas of a golf course and country club (private) such as along fairways, at the tee boxes, etc.

The maximum height proposed for nets associated with driving ranges is 60 feet including the structural supports. The nets shall be vertical nets only. Additionally, the nets would be exempt from side and rear yard setback requirements in order to allow flexibility in placement. Topographical features of the property and the design of the driving range will 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 the driving range from adjacent properties.

Miscellaneous Standards:

The proposed amendment specifies that the golf nets shall be of flexible netting that is designed, manufactured, and sold as golf netting and prohibits the use of chain link fencing. Additionally, the nets shall be staked and/or cable-supported with structural supports in order to constrain the nets. This will assist with extending the longevity of the golf nets, as well as keep nets from flapping in the wind and interfering with fences, landscaping and other improvements.

The proposed amendment also 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, horizontal or sloping net, or combination thereof, designed to confine golf balls to a 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

   (1.) Golf nets are allowed in accordance with the following:

   (a.) Golf nets associated with nonresidential uses.

   (i.) Golf nets shall be permitted for driving ranges only, whether as a primary use, or as an accessory use to a golf course, country club (private), and/or outdoor commercial amusement uses, in any zoning district. Golf nets shall be prohibited in other areas of a golf course, country club (private) or outdoor commercial amusement uses.

   (ii.) Golf nets shall be vertical nets only and may be constructed to a maximum height of 60 feet including the structural supports.

   (iii.) Golf nets shall be exempt from side and rear yard setback requirements.

(b.) Golf nets associated with residential uses.

(i.) Golf nets are permitted on residential properties that are contiguous to a country club (private) or golf course, and on residential lots with frontage on a public right-of-way that separates the country club (private) or golf course from the residential lots.

(ii.) Golf nets are exempt from side and rear yard setback requirements and shall not extend forward of the primary structure(s) on the property.

(iii.) Golf nets may consist of vertical nets, horizontal or sloping nets, or a combination thereof, and may create an enclosure of the yard area. The maximum height for a residential golf net including the structural supports is 20 feet.

(2.) All golf nets shall comply with the following requirements:

(a.) Golf nets shall be constructed of flexible netting that is designed, manufactured and sold as golf netting. Chain link fencing is prohibited as a material for golf nets.

(b.) Golf nets shall be staked and/or cable-supported with structural supports.

(c.) No flags, signs, banners or other appurtenances shall be attached to the structural supports or golf nets.

October 12, 2008

Commissioner and members of the commission,

Since June 9, 2006, when a 50 foot tall golf net was erected on Muirfield Circle , we have come to meeting after meeting in opposition to golf nets which will destroy the views and property values of homeowners who live on golf courses in Plano .

Unfortunately, we are out of the country for this most important meeting, in which you will vote on an ordinance that will permanently affect the beauty of Plano. As we have stated over and over, there is a risk of errant golf balls when you live on a golf course. That is a risk that is accepted in return for a beautiful unencumbered view, and the view is the only reason people pay high prices to live on a golf courses. That valuable view is now at risk

You are considering allowing 20 foot golf nets on residential property lines. Please don't be short sighted on this issue, or make a decision for all of Plano based on a few people who are dissatisfied with the risk of living on the golf course. If a golf net of this size is allowed, the owner of a home might have a golf net built by his next door neighbor that is taller than his home, completely destroying his view, with no warning or input. Can you imagine if your neighbor built a 20 foot golf net next to your home, bordering your side yard all the way to the back property line, or on both sides of your yard ? It can ruin a property value and an owner's enjoyment of it – and it can ruin the looks of a neighborhood. A 20 foot fence is tall - taller than some of the houses!!

We understand your desire to protect the safety of people, but there is also a need to protect other homeowner's ability to enjoy their home in which a major investment has been made, without having that enjoyment taken away without warning or input.

If you feel you must allow some sort of golf net on residential property, please limit the height below 15 feet where landscaping can easily be planted to cover it, and not allow our golf courses to be eyesores for the few who want the view without the risk.

Very sincerely,

Cindy and Gerhard Torgussen
6620 Bermuda Dunes Drive
Plano, TX

We don't want to see our golf courses in Plano looking like this!

View across Fairway of Muirfield Cr

RECEIVED
OCT 14 2008
PLANNING DEPT

Austin & Pat Hutton
6808 Columbine Way
Plano, Texas 75093

October 10, 2008

Mr. James Duggan
Chairman
City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

Dear Mr. Duggan:

I am writing to protest the creation of a Plano City Ordinance that would allow installation of golf nets on homes bordering golf courses. My preferred situation is that golf nets be prohibited entirely and those installed in violation of city ordinances be immediately removed. I believe that erection of these nets should be prohibited both by homeowners and owners/operators of golf courses. I believe that determination of methods necessary to reduce the incidence of ball strikes should be limited to solutions that do not create negative impacts to property values.

Purchasers of homes adjoining golf courses make the premium investment in order to enjoy the views and invest in properties that have historically held their value well. While a large net will certainly catch the errant, and statistically low probability, golf ball, they do create a full time eyesore and create an immediate and enduring negative impact to home values where the net is created and for those whose homes are in line of sight of the net. Even if a particular home is not within sight of a net the potential for a net to be erected and degrade property and esthetic value of the home is negative factor on home value.

Buying or building a home on a golf course comes with the inherent risk of ball strikes. Home buyers/builders should undertake the obvious and prudent assessment to insure that home is built of sufficiently sturdy materials to resist occasional golf ball strikes. If the home is not and cannot be made resistant to ball strikes either the construction materials should be altered of the prospective buyer should chose another home.

There is a legitimate issue surround the protection of adults, children and animals may be at slight risk for injury. I believe that creation of lower height net, i.e. 10-15', with a horizontal net ceiling would provide an adequate protection and not become an eyesore to neighbors. I believe that these enclosures should be permitted only on a case-by-case basis after appropriate plans have been drawn up and approved by the appropriate Homeowners Association before any construction permits are approved.

I would further recommend that owners/operators of golf course be prohibited from erecting any artificial protective screens that create eyesores and are detrimental to property values. Adding additional trees and landscaping has proven to be an adequate alternative to nets in reducing the number of ball strikes. Where additional screening is required and cannot be reasonably accommodated with landscaping I would recommend that any artificial screening be permitted on a case by case basis and require the concurrence of Homeowners Associations adjoining the affected areas.

Sincerely,

Austin Hutton

Patrick & Laura Daddino
3216 Crooked Stick Dr.
Plano, TX 75093
October 13, 2008

RECEIVED
OCT 15 2008
PLANNING DEPT

James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

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Sincerely,

Patrick & Laura Daddino

Jack Ellis
2608 Prestonwood Drive
Plano, Texas 75093

RECEIVED
OCT 14 2008
PLANNING DEPT.

Date: 13 October 2008

James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

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Sincerely,

Jack Ellis

RECEIVED
OCT
PLANNING DEP

Bruce Schiller
5508 Blackhawk Drive
Plano, Tx 75093

Date:

James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

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Sincerely,

Bruce Schiller

Bruce Schiller

RECEIVED
OCT 15 2008
PLANNING DEPT

October 13, 2008

James Duggan
Chairman, City of Plano Planning and Zoning Board
P.O. Box 860358
Plano, Texas 75086

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Sincerely,

Roger Warner
3041 Greenhill Drive
Plano, Texas 75093

RECEIVED
OCT 15 2008
PLANNING DEPT.

Janet Ward
3009 Greenhill Dr.
Plano, TX 75093

10-13-2008
James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

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Sincerely,

Janet Ward

Janet Ward

RECEIVED
OCT 15 2008
PLANNING DEPT

Donald Scaccia
5731 Antares Court
Dallas, Texas 75252

Date: October 13, 2008

James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

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Sincerely,

Donald Scaccia

RECEIVED
OCT 15 2008
PLANNING DEPT.

Rob Dessommes
2905 Green Hill Drive
Plano, Texas 75093

Date: October 13th, 2008
James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

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Sincerely,

Rob Dessommes
2905 Green Hill Drive/ The Bluffs
Plano Texas 75093

RECEIVED
OCT 15 2008
PLANNING DEPT

Jim and Rosie Murphy
3073 Greenhill Drive
Plano, TX 75093

Date: 10/12/2008

James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

Dear Mr. Duggan:

I am writing to protest the creation of a Plano City Ordinance that would allow installation of golf nets on homes bordering golf courses. We have been in the Real Estate business for over 28 years and have and now live on the Prestonwood Hills course. Currently, only public/city owned courses allow nets resulting in lowering of property values. I have lived on Stonebriar, as well as, the Prestonwood Hills course. Erection of these nets should be controlled by homeowners and owners/operators of golf courses. Determination of methods necessary to reduce the incidence of ball strikes should be limited to solutions that do not create negative impacts to property values.

Purchasers of homes adjoining golf courses make the premium investment in order to enjoy the views and invest in properties that have historically increased in value and Real Estate Tax. While a large net will certainly catch the errant and statistically low probability, golf ball, they do create a full time eyesore and create an immediate and enduring negative impact to home values where the net is created and for those whose homes are in line of sight of the net. Even if a particular home is not within sight of a net the potential for a net to be erected and degrade property and esthetic value of the home is negative factor on home value of every home in the area. City government should not reduce property values of its citizens.

Buying or building a home on a golf course comes with the inherent risk of ball strikes. Home buyers/builders should undertake the obvious and prudent assessment to insure that home is built of sufficiently sturdy materials to resist occasional golf ball strikes. If the home is not and cannot be made resistant to ball strikes either the construction materials should be altered of the prospective buyer should chose another home.

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Sincerely,

The Murphy Group

Barrie Brown
6805 Columbine Way
Plano, Texas 75093

RECEIVED
OCT 15 2008
PLANNING DEPT

October 13, 2008

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Chairman City of Plano Planning and Zoning Board
P O Box 860358
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Dear Mr. Duggan:

I am writing to protest the creation of a Plano City Ordinance that would allow installation of golf nets on homes bordering golf courses. My preferred situation is that golf nets be prohibited entirely and those installed in violation of city ordinances be immediately removed. I believe that erection of these nets should be prohibited both by homeowners and owners/operators of golf courses. I believe that determination of methods necessary to reduce the incidence of ball strikes should be limited to solutions that do not create negative impacts to property values.

Purchasers of homes adjoining golf courses make the premium investment in order to enjoy the views and invest in properties that have historically held their value well. While a large net will certainly catch the errant, and statistically low probability, golf ball, they do create a full time eyesore and create an immediate and enduring negative impact to home values where the net is created and for those whose homes are in line of sight of the net. Even if a particular home is not within sight of a net the potential for a net to be erected and degrade property and esthetic value of the home is negative factor on home value.

Buying or building a home on a golf course comes with the inherent risk of ball strikes. Home buyers/builders should undertake the obvious and prudent assessment to insure that home is built of sufficiently sturdy materials to resist occasional golf ball strikes. If the home is not and cannot be made resistant to ball strikes either the construction materials should be altered of the prospective buyer should chose another home.

There is a legitimate issue that the protection of adults, children and animals may be at slight risk for injury. I believe that creation of lower height net, i.e. 10-15', with a horizontal net ceiling would provide an adequate protection and not become an eyesore to neighbors. I believe that these enclosures should be permitted only on a case-by-case basis after appropriate plans have been drawn up and approved by the appropriate Homeowners Association before any construction permits are approved.

I would further recommend that owners/operators of golf course be prohibited from erecting any artificial protective screens that create eyesores and are detrimental to property values. Adding additional tress and landscaping has proven to be an adequate alternative to nets in reducing the number of ball strikes. Where additional screening is required and cannot be reasonably accommodated with landscaping I would recommend that any artificial screening be permitted on a case by case basis and require the concurrence of Homeowners Associations adjoining the affected areas.

Sincerely,

Barrie Brown

RECEIVED
OCT 15 2008
PLANNING DEPT

Bonnie Brown
6805 Columbine Way
Plano, Texas 75093

October 13, 2008

James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

Dear Mr. Duggan:

I am writing to protest the creation of a Plano City Ordinance that would allow installation of golf nets on homes bordering golf courses. My preferred situation is that golf nets be prohibited entirely and those installed in violation of city ordinances be immediately removed. I believe that erection of these nets should be prohibited both by homeowners and owners/operators of golf courses. I believe that determination of methods necessary to reduce the incidence of ball strikes should be limited to solutions that do not create negative impacts to property values.

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Sincerely,

Bonnie Brown

Thorwald James Hansen
3216 Prestonwood Drive
Plano, TX 75093

October 13, 2008

Mr. James Duggan, Chairman
City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

Dear Mr. Duggan:

I protest the creation of a Plano City Ordinance that would allow installation of golf nets on homes bordering golf courses. I prefer prohibiting golf nets entirely and the immediate removal of those installed in violation of city ordinances. I believe that erection of these nets should be prohibited both by homeowners and owners/operators of golf courses. I believe methods of reducing ball strikes should be limited to solutions that do not reduce property values.

Purchasers of homes adjoining golf courses make the premium investment in order to enjoy the views and invest in properties that have historically held their value well. While a large net will certainly catch the errant and statistically low probability golf ball, they create a full time eyesore and an immediate and enduring negative impact on home values with a net and on those whose homes are in line of sight of the net. Even if a particular home is not within sight of a net the potential for a net to be erected and degrade property and esthetic value of the home reduces home value.

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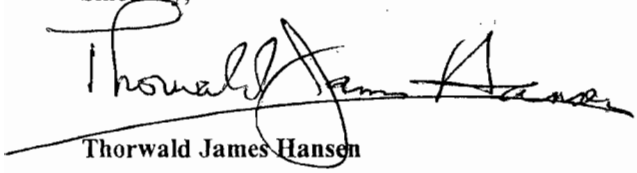
There is a legitimate issue of adults, children, and animals being at slight risk of injury. I believe creation of lower height net, i.e. 10-15', with a horizontal net ceiling would provide adequate protection without being an eyesore. I believe these enclosures should be permitted only on a case-by-case basis after appropriate plans have been drawn up and approved by the appropriate Homeowners Association before any construction permits are approved.

I further recommend owners/operators of golf courses be prohibited from erecting any artificial protective screens that create eyesores and are detrimental to property values. Adding additional trees and landscaping has proven to be an adequate alternative to nets in reducing the number of ball strikes. Where additional screening is required and cannot be reasonably accommodated with landscaping I would recommend that any artificial screening be permitted on a case by case basis and require the concurrence of Homeowners Associations adjoining the affected areas.

Sincerely,



Thorwald James Hansen

Agnes Williamson
6721 Columbine Way
Plano, TX 75093

Date: October 13, 2008

James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

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Sincerely,

Agnes Williamson

Agnes Williamson

RECEIVED
OCT 15 2008
PLANNING DEPT

James Fusco
3016 Crooked Stick Drive
Plano, Texas 75093

Date: October 14th 2008

James Duggan
Chairman City of Plano Planning and Zoning Board
P O Box 860358
Plano Texas 75086

Re: Golf Net Ordinance

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James Fusco