

PLANNING & ZONING COMMISSION
May 19, 2008

COMMISSIONERS PRESENT

James Duggan, Chairman
Maggie Armstrong, 2nd Vice Chair
Beth Weingarden
Jeff Bulla
Christopher Caso
Michael Coleman
Craig Perry

COMMISSIONERS ABSENT

Jim Norton, 1st Vice Chair

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Tom Elgin, Development Review Manager
Tina Firgens, Sr. Planner
Eric Hill, Planner
Paige Mims, Assistant City Attorney
Dee Sarver, Sr. Planning Technician
Donna White, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Duggan at 7:00 p.m., Monday, May 19, 2008.

Commissioner Bulla made a motion to approve the agenda as presented. Commissioner Weingarden seconded the motion, which passed 7-0.

Second Vice Chair Armstrong made a motion to approve the minutes of the May 5, 2008, Planning & Zoning Commission meeting as submitted. Commissioner Caso seconded the motion, which passed 7-0.

Tom Elgin, Development Review Manager, requested Agenda Item 5g be pulled for individual consideration.

Commissioner Bulla made a motion to approve the consent agenda as submitted. Commissioner Caso seconded the motion, which passed 7-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - PRELIMINARY PLAT 14/ARBOR HILLS ADDITION, BLOCK A, LOT 1 APPLICANT: PLANO PET CARE

Veterinary clinic/kennel (indoor pens) on one lot on 4.6± acres located on the east side of Spring Creek Parkway, 3,400± feet west of Tennyson Parkway. Zoned Neighborhood Office with Specific Use Permit #585 for Veterinary Clinic/Kennel (indoor pens). Neighborhood #14.

Approved subject to:

1. Additions and/or alterations to the engineering plans as required by the Engineering Department; and
2. Recordation of Conveyance Plat for Arbor Hills Addition, Block A, Lots 1 & 2.

AGENDA ITEM NO. 5B - FINAL PLAT 13/LEGACY CENTRAL THEATER ADDITION, BLOCK A, LOT 6 APPLICANT: FAIRVIEW FARM LAND CO.

Retail building on one lot on 1.3± acres located on the west side of U.S. Highway 75, 370± feet south of Chase Oaks Boulevard. Zoned Corridor Commercial. Neighborhood #13.

Approved as submitted.

AGENDA ITEM NO. 5C - REVISED SITE PLAN 55/PLANO ANIMAL SHELTER ADDITION, BLOCK 1, LOT 1 APPLICANT: CITY OF PLANO

Kennel (indoor pens) on one lot on 2.2± acres located on the west side of Plano Parkway, 440± feet south of Commerce Drive. Zoned Light Industrial-1. Neighborhood #55.

Approved as submitted.

AGENDA ITEM NO. 5D - PRELIMINARY PLAT 68/CENTRAL PLANO INDUSTRIAL PARK, PHASE III, BLOCK 10, LOT 4 APPLICANT: KRYPTON SOLUTIONS, L.L.C.

Manufacturing-Light-intensity on one lot on 4.1± acres located on the south side of Summit Avenue, 830± feet west of Klein Road. Zoned Research/Technology Center. Neighborhood #68.

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

**AGENDA ITEM NO. 5E - SITE PLAN
65/CUSTER/190 ADDITION, BLOCK A, LOT 4
APPLICANT: PLANO TURNPIKE INVESTMENTS, LTD.**

General and medical office building on one lot on 1.3± acres located on the west side of Custer Road, 350± feet north of Plano Parkway. Zoned Planned Development-376-Retail/General Office. Neighborhood #65.

Approved as submitted.

**AGENDA ITEM NO. 5F - PRELIMINARY PLAT
65/CUSTER/190 ADDITION, BLOCK A, LOT 4
APPLICANT: PLANO TURNPIKE INVESTMENTS, LTD.**

General and medical office building on one lot on 1.3± acres located on the west side of Custer Road, 350± feet north of Plano Parkway. Zoned Planned Development-376-Retail/General Office. Neighborhood #65.

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

**AGENDA ITEM NO. 5H - PRELIMINARY PLAT
22/FTK ADDITION, BLOCK A, LOT 1
APPLICANT: FTK INTERESTS, L.P.**

Service contractor (no storage yard) on one lot on 0.7± acre located at the southeast corner of K Avenue and Pecan Lane. Zoned Light Commercial. Neighborhood #22.

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

**AGENDA ITEM NO. 5I - REVISED SITE PLAN
64/JOHN PAUL II ADDITION, BLOCK 1, LOT 1R
APPLICANT: POPE JOHN PAUL II HIGH SCHOOL**

Parochial secondary school on one lot on 36.7± acres located at the northeast corner of Coit Road and Plano Parkway. Zoned Planned Development-128-Light Industrial-1. Neighborhood #64.

Approved subject to the prohibition of a public address system at the athletic field and bleacher facility in accordance with Residential Adjacency Standards.

END OF CONSENT AGENDA

ITEM FOR INDIVIDUAL CONSIDERATION

AGENDA ITEM NO. 5G - REVISED PRELIMINARY SITE PLAN 21/PEARCY/CHRISTON ADDITION, BLOCK 1, LOTS 1R & 5R APPLICANT: SPRING CREEK PLANO RETAIL, L.P.

Tina Firgens, Sr. Planner, stated this is a request for a bank and retail on two lots on 11.3± acres located at the northeast corner of Wagner Way and Spring Creek Parkway. Zoned Corridor Commercial. Neighborhood #21. Staff recommended withdrawal per the applicant's request.

There being no discussion, Commissioner Perry made a motion to withdraw the item per the applicant's request. Commissioner Weingarden seconded the motion, which passed 7-0.

END OF ITEM FOR INDIVIDUAL CONSIDERATION

PUBLIC HEARINGS

AGENDA ITEM NO. 6 - PUBLIC HEARING ZONING CASE 2008-51 APPLICANT: CITY OF PLANO

Ms. Firgens stated this is a request to amend Subsection 2.821 (BG - Downtown Business/Government) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance pertaining to the regulations limiting the number of multifamily dwelling units per block and the requirement for a maximum 60% first floor residential use along street frontage within the Downtown Business/Government zoning district. There were no letters received in opposition and one in support of the item. Staff recommended approval as follows: (Additions are bold and underline; deletions are shown in strikethrough text.)

Subsection 2.821 BG - Downtown Business/Government

- (5) Special District Requirements
 - (a) Definitions of Streets within the District
 - (i) Major streets shall be defined as 15th Street, 14th Street, K Avenue, and Municipal Avenue.
 - (ii) Minor streets shall be defined as all streets, other than the major streets, which are built with a standard curb, gutter, and sidewalks.
 - (iii) Mews streets shall be defined as a service drive for automotive and pedestrian traffic with a central circulation lane a width of 24 feet or less which functions as a public street. No curbs or sidewalks are required within mews street right-of-way.

- (b) Front yard setbacks are measured from the outside of curb or outside of lane marking where there is no curb. Front yard setbacks are determined based on provided on-street parking and the type of street frontage as follows:

Setback	Designated on-street parking spaces are provided between the street and the building.		No designated on-street parking spaces are provided between the street and the building.	
	Minimum	Maximum	Minimum	Maximum
Mews Street	3	20	3	20
Minor Street	5	20	10	20
Major Street	10	20	15	20

- (c) A nonconforming building may be reconstructed to its original setback if it does not exceed the maximum permitted setback.
- (d) Minimum of two-thirds of the front facade of the building shall fall within the minimum and maximum setback.
- (e) First Floor Use

No building, excluding parking structures, in the area bounded by 14th Street on the south, H Avenue on the west, 16th Street on the north, and Municipal/L Avenue on the east, shall have more than 60% of its total linear frontage on major streets or ~~public ways~~ devoted to residential use.

- (f) Extensions into Rights-of-Way or Access Easements
- (i) Outdoor eating areas may extend into rights-of-way or access easements of streets or public ways, if a minimum sidewalk clearance and/or distance to curb line of a street or public way of five feet is maintained.
 - (ii) Canopies, balconies, stoops, bay windows, awnings, planting beds, and other building projections may extend into rights-of-way and/or easements of streets, public ways, and/or railroad or transit facilities if a minimum sidewalk clearance and/or distance to the curb line of five feet is maintained.
- (g) Special Regulations for Multifamily Residences
- (i) Minimum Floor Area per Dwelling Unit
 1. 400 square feet for efficiency units
 2. 475 square feet for one bedroom units
 3. 625 square feet for two bedroom units
 4. 150 square feet for each additional bedroom
 - (ii) Maximum Density: 100 dwelling units per acre

- (iii) Minimum Density: 40 dwelling units per acre
- (iv) No more than ~~200~~ **230** dwelling units may be located within any block bounded by streets, public ways, and/or railroad or transit rights-of-way.
- (v) Usable open space requirements as specified in Subsection 3.104.4. shall not apply.
- (vi) The above requirements shall also apply to situations where only one or two units are included in a building.

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

After a brief discussion, Commissioner Bulla made a motion to approve the item as follows: (Additions are bold and underline; deletions are shown in strikethrough text.)

Subsection 2.821 BG - Downtown Business/Government

(5) Special District Requirements

(a) Definitions of Streets within the District

- (i) Major streets shall be defined as 15th Street, 14th Street, K Avenue, and Municipal Avenue.
- (ii) Minor streets shall be defined as all streets, other than the major streets, which are built with a standard curb, gutter, and sidewalks.
- (iii) Mews streets shall be defined as a service drive for automotive and pedestrian traffic with a central circulation lane a width of 24 feet or less which functions as a public street. No curbs or sidewalks are required within mews street right-of-way.

(b) Front yard setbacks are measured from the outside of curb or outside of lane marking where there is no curb. Front yard setbacks are determined based on provided on-street parking and the type of street frontage as follows:

Setback	Designated on-street parking spaces are provided between the street and the building.		No designated on-street parking spaces are provided between the street and the building.	
	Minimum	Maximum	Minimum	Maximum
Mews Street	3	20	3	20
Minor Street	5	20	10	20
Major Street	10	20	15	20

(c) A nonconforming building may be reconstructed to its original setback if it does not exceed the maximum permitted setback.

(d) Minimum of two-thirds of the front facade of the building shall fall within the minimum and maximum setback.

(e) First Floor Use

No building, excluding parking structures, in the area bounded by 14th Street on the south, H Avenue on the west, 16th Street on the north, and Municipal/L Avenue on the east, shall have more than 60% of its total linear frontage on major streets or ~~public ways~~ devoted to residential use.

(f) Extensions into Rights-of-Way or Access Easements

(i) Outdoor eating areas may extend into rights-of-way or access easements of streets or public ways, if a minimum sidewalk clearance and/or distance to curb line of a street or public way of five feet is maintained.

(ii) Canopies, balconies, stoops, bay windows, awnings, planting beds, and other building projections may extend into rights-of-way and/or easements of streets, public ways, and/or railroad or transit facilities if a minimum sidewalk clearance and/or distance to the curb line of five feet is maintained.

(g) Special Regulations for Multifamily Residences

(i) Minimum Floor Area per Dwelling Unit

1. 400 square feet for efficiency units
2. 475 square feet for one bedroom units
3. 625 square feet for two bedroom units
4. 150 square feet for each additional bedroom

(ii) Maximum Density: 100 dwelling units per acre

(iii) Minimum Density: 40 dwelling units per acre

(iv) No more than ~~200~~ **230** dwelling units may be located within any block bounded by streets, public ways, and/or railroad or transit rights-of-way.

(v) Usable open space requirements as specified in Subsection 3.104.4. shall not apply.

(vi) The above requirements shall also apply to situations where only one or two units are included in a building.

Commissioner Perry seconded the item, which passed 7-0.

**AGENDA ITEM NO. 7 - PUBLIC HEARING
53/REPLAT: BOARDWALK MOTOR CARS ADDITION, BLOCK A, LOT 2R
APPLICANT: WEST PLANO PARKWAY, LTD.**

Eric Hill, Planner, stated this is a request for a new car dealer on one lot on 9.2± acres located on the south side of Plano Parkway, 260± feet east of Dallas North Tollway. Zoned Planned Development-211-Light Commercial with Specific Use Permit #561. Neighborhood #53. Staff recommended approval as submitted.

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

There being no discussion, Commissioner Caso made a motion to approve the item as submitted. Second Vice Chair Armstrong seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 8 - REVISED SITE PLAN
66/TEXACO ADDITION NO. 1, BLOCK 1, LOT 1
APPLICANT: 7-ELEVEN, INC.**

Mr. Hill stated this is a request for a convenience store with gas pumps on one lot on 0.7± acre located at the northwest corner of U.S. Highway 75 and 15th Street. Zoned Corridor Commercial. Neighborhood #66. Staff recommended approval subject to:

1. Board of Adjustment approval of a variance to reduce the landscape edge from 15 feet to 5 feet along 15th Street.
2. Submission, Engineering Department approval and subsequent filing at the County of the separate instrument dedication of access easements to provide cross access between this lot and adjacent lots.

There being no discussion, Commissioner Perry made a motion to approved the item subject to:

1. Board of Adjustment approval of a variance to reduce the landscape edge from 15 feet to 5 feet along 15th Street.
2. Submission, Engineering Department approval and subsequent filing at the County of the separate instrument dedication of access easements to provide cross access between this lot and adjacent lots.

Commissioner Weingarden seconded the motion, which passed 7-0.

AGENDA ITEM NO. 9 - ITEMS FOR FUTURE DISCUSSION

Commissioner Bulla made a request to have a work session to discuss the Mixed-Use Development Policy Statement.

There being no further discussion, Chairman Duggan adjourned the meeting at 7:29 p.m.

Planning & Zoning Commissioner

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