

PLANNING & ZONING COMMISSION
JULY 5, 2005

COMMISSIONERS PRESENT

Laura Williamson, Chairman
Lee Dunlap
Joyce Beach, 2nd Vice Chair
Carolyn Kalchthaler, 1st Vice Chair
Joy Flick
Lisette Briley
Dennis Abraham

COMMISSIONER ABSENT

Jerry Kezhaya

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Kent McIlyar, Assistant City Attorney III
Tom Elgin, Development Review Manager
Christina Day, Sr. Planner
Bester Tauro, Planner
Michael Arthaud, Planning Technician
Priscilla Parra, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Williamson at 7:00 p.m., Monday, July 5, 2005.

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

Commissioner Dunlap made a motion to approve the June 20, 2005, pre-meeting and meeting minutes. Commissioner Briley seconded the motion, which passed 7-0.

Commissioner Abraham made a motion to approve the consent agenda. First Vice Chair Kalchthaler seconded the motion, which passed 7-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - REVISED CONVEYANCE PLAT 1/THE CANAL ON PRESTON ADDITION, BLOCK A, LOTS 2 & 9 APPLICANT: RAINWATER & COX, INC.

A hotel on one lot and one conveyance lot on 6.3± acres located at the southwest corner of Angels Drive and McDermott Road. Zoned Planned Development-20-Mixed Use.

Approved as submitted.

AGENDA ITEM NO. 5B - PRELIMINARY PLAT 1/THE CANAL ON PRESTON ADDITION, BLOCK A, LOT 2 APPLICANT: RAINWATER & COX, INC.

A hotel on one lot on 3.1± acres located on the west side of Angels Drive, 370± feet south of McDermott Road. Zoned Planned Development-20-Mixed Use. Neighborhood #1.

Approved subject to:

1. Construction of the northern building fronting Town Square concurrent or prior to the construction of this project as provided within Planned Development-20-Mixed Use.
2. Additions and/or alterations to the engineering plans as required by the Engineering Department.

AGENDA ITEM NO. 5C - PRELIMINARY PLAT 16/LINCOLN LEGACY ONE, BLOCK A, LOT 1 APPLICANT: LINCOLN PROPERTY COMPANY

A general office building and parking garage on 4.6± acres located at the southeast corner of Tennyson Parkway and Dallas North Tollway. Zoned Central Business-1.

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

AGENDA ITEM NO. 5D - CONVEYANCE PLAT 16/LINCOLN LEGACY, BLOCK A, LOTS 1 & 2 APPLICANT: LINCOLN PROPERTY COMPANY

Two conveyance lots on 7.2± acres located at the southeast corner of Tennyson Parkway and Dallas North Tollway. Zoned Central Business-1.

Approved as submitted.

**AGENDA ITEM NO. 5E - FINAL PLAT
16/SOUTHWEST CORPORATE FEDERAL CREDIT UNION, BLOCK A, LOT 1
APPLICANT: SOUTHWEST CORPORATE FEDERAL CREDIT UNION**

A general office building and a parking garage on one lot on 7.5± acres located at the northwest corner of Parkwood Boulevard and Democracy Drive. Zoned Commercial Employment.

Approved as submitted.

**AGENDA ITEM NO. 5F - PRELIMINARY SITE PLAN
67/E.I.G. II ADDITION, BLOCK 1, LOT 2R
APPLICANT: SALINAS CONCRETE, LP**

A service contractor (no service yard) use on one lot on 2.0± acres located on the south side of 10th Street, 208± feet west of N Avenue. Zoned Light Industrial-1.

Approved as submitted.

**AGENDA ITEM NO. 5G - SITE PLAN
22/OAK POINT ESTATES, BLOCK C, LOT 25
APPLICANT: MARLIN ATLANTIS WHITE, LTD.**

A private recreation facility (amenity center) on one lot on 0.3± acre located on the north side of Shingle Lane, 162± feet east of Hickory Hill Drive. Zoned Patio Home.

Approved subject to staff approval of the landscape plan.

**AGENDA ITEM NO. 5H - PRELIMINARY PLAT
13/THE PLAZA AT CHASE OAKS, BLOCK A, LOT 1
APPLICANT: UHF CHASE OAKS HOUSING, L.P.**

A four story, 240-unit independent living facility on one lot on 8.3± acres located on the east side of Chase Oaks Boulevard, 750± feet north of Legacy Drive. Zoned Planned Development-277-Retail/General Office.

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

**AGENDA ITEM NO. 5I - CONVEYANCE PLAT
13/THE PLAZA AT CHASE OAKS, BLOCK A, LOTS 1 & 2
APPLICANT: UHF CHASE OAKS HOUSING, L.P.**

Two conveyance lots on 22.3± acres located on the east side of Chase Oaks Boulevard, 750± feet north of Legacy Drive. Zoned Planned Development-277-Retail/General Office.

Approved as submitted.

**AGENDA ITEM NO. 5J - REVISED PRELIMINARY SITE PLAN
2/COIT/RIDGEVIEW APARTMENTS & TOWNHOMES
APPLICANT: UDR TEXAS PROPERTIES, L.P.**

114 Single-Family Residence Attached lots with six open space lots on 17.9± acres and a 202-unit multifamily residential development on one lot on 13.0± acres located at the northeast corner of Coit Road and Ridgeview Drive. Zoned Planned Development-46-Multifamily Residence-2.

Approved subject to street name approval for Phase II of Single-Family Residence Attached development.

**AGENDA ITEM NO. 5K - PRELIMINARY PLAT
2/COIT/RIDGEVIEW TOWNHOMES PHASE ONE, BLOCK 1, LOTS 1-54
APPLICANT: UDR TEXAS PROPERTIES, L.P.**

48 Single-Family Residence Attached lots and three open space lots on 7.3± acres located north of Ridgeview Drive, 1,385± feet west of Coit Road. Zoned Planned Development-46-Multifamily Residence-2.

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

END OF CONSENT AGENDA

PUBLIC HEARINGS

Second Vice Chair Beach stepped down for Agenda Item No. 6.

AGENDA ITEM NO. 6 - PUBLIC HEARING ZONING CASE 2005-05 APPLICANT: GREENWAY-PRESTON & PARKER, LTD.

Tom Elgin, Development Review Manager, stated this is a request to rezone 22.5± acres located at the southeast corner of Parker Road and Preston Road from Agricultural (A) to Neighborhood Office (O-1) with a Specific Use Permit (SUP) for Bank, Savings and Loan, or Credit Union, Single-Family Residence Attached (SF-A)/Patio Home (PH). Zoned Agricultural. Tabled 06/20/05. Eighteen letters were received for the item, one in support and eight in opposition inside the 200 foot notice area and two in support and seven in opposition outside the 200 foot notice area. Staff recommended that the Planning & Zoning Commission recommend appropriate zoning for this tract of land.

Commissioner Dunlap made a motion to remove the item from the table. Commissioner Briley seconded the motion, which passed 6-0.

The public hearing was opened. Larry Good, representing the applicant, spoke in favor of the item. John Donovan, Glen Hinckley, Debbie Leacock, and Larry Rehg spoke in opposition to the item. Their concerns were: preferring the zoning designation as Single-Family Residence Detached, traffic issues, retail and commercial land uses are not compatible with the area, preferring planned development as opposed to straight zoning, having enough unused or vacant office space, and aesthetic issues. No one else spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Flick made a motion to deny the item. Commissioner Briley seconded the motion, which passed 6-0. The Commission recommended that the entire property be rezoned to Patio Home zoning district.

Second Vice Chair Beach resumed her seat.

AGENDA ITEM NO. 7 - PUBLIC HEARING ZONING CASE 2005-16 APPLICANT: NEWMARK HOMES

Christina Day, Sr. Planner, stated this is a request to rezone 199.0± acres located at the northeast corner of Los Rios Boulevard and Cloverhaven Way from Agricultural to Single-Family Residence-7, Single-Family Residence-6, and Patio Home. Tabled 06/06/05. Staff recommended that the Commission accept the applicant's request to table the item to the August 1, 2005, Planning & Zoning Commission meeting.

There being no discussion, Commissioner Dunlap made a motion to table the item to the August 1, 2005, Planning & Zoning Commission meeting. Commissioner Flick seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 8 - PUBLIC HEARING
ZONING CASE 2005-21
APPLICANT: CITY OF PLANO**

Mr. Elgin stated this is a request to amend Subsection 3.304 (Nonresidential Uses) of Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding exterior wall standards for nonresidential uses. Tabled 06/06/05 & 06/20/05. Staff recommended approval as follows:

Amend Subsection 3.304 (Nonresidential Uses) of Section 3.300 (Minimum Structure Standards) of Article 3 (Supplementary Regulations) to read as follows:

3.304 Nonresidential Uses

Unless otherwise regulated by this ordinance, exterior wall construction in districts permitting nonresidential uses shall be of such material that conforms to the International Building Code unless an alternative has been approved by the Building Official. However, metal and membrane exterior walls are prohibited in all zoning districts with the following exceptions:

Metal and membrane exterior walls are permitted in the Light Industrial-1 and Light Industrial-2 districts with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:

- (1) The metal or membrane exterior wall is not visible from a public thoroughfare.
- (2) The lot containing the building is located at least 500 feet from any residential zoning district boundary line.

Commissioner Dunlap made a motion to remove the item from the table. Commissioner Briley seconded the motion, which passed 7-0.

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

After much discussion, Commissioner Dunlap made a motion to table the item to the July 18, 2005, Planning & Zoning Commission meeting so that staff can clarify what constitutes exterior wall construction. Commissioner Flick seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 9 - PUBLIC HEARING
ZONING CASE 2005-24
APPLICANT: CITY OF PLANO**

Mr. Elgin stated this is a request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), Section 3.100 (Supplementary Regulations for Principle Permitted Uses) of Article 3 (Supplementary Regulations), and related sections of the Zoning Ordinance regarding winery use. Staff recommended approval as follows:

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

Winery – A wine-making facility that: (1) ferments juices from grapes and/or other fruit, (2) blends wines, (3) manufactures, bottles, labels, and packages wine, and/or performs any other activity authorized by Chapter 16, Winery Permit, of the Texas Alcoholic Beverage Code as amended.

2. Amend the use charts in Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) to permit winery use with approval of a specific use permit in the Agricultural (A), Retail (R), Downtown Business/Government (BG), Light Commercial (LC), Commercial Employment (CE), Central Business-1 (CB-1), Light Industrial-1 (LI-1), Regional Employment (RE), Regional Commercial (RC), and Corridor Commercial (CC) zoning districts.

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

After some discussion, Commissioner Flick made a motion to approve the item subject to staff recommendations, excluding Regional Employment from the use chart. Second Vice Chair Beach seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING
ZONING CASE 2005-25
APPLICANT: CUSTER PARKER LTD.**

Mr. Elgin stated this is a request to amend Planned Development-90-Retail to accommodate a proposed superstore redevelopment of the property located at the northeast corner of Parker Road and Custer Road. Zoned Planned Development-90-Retail. Staff recommended that the Planning & Zoning Commission accept the applicant's request to table this item to the Monday, July 18, 2005, Planning & Zoning Commission meeting.

The public hearing was opened. Bill Dahlstrom, representing the applicant, and Dan Jeakins spoke in support of the item. Hugh Elmore, Crystal Farley, Ruben Doncell, Christopher Williams, Ken Metz, David Smith, Darryl Lyons, Leesa Gibson, Audrey Doncell, and Beverly Gatewood spoke in opposition to the item. Their concerns were: traffic congestion, traffic safety, too many cars parked on residential streets, cut-through traffic, an existing Home Depot nearby, houses being encroached upon, no buffer zone, infrastructure not supported for intended use, resistance to changing current zoning and other standards, devaluation of property, aesthetic issues, and lack of screening. No one else spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Dunlap made a motion to table the item to the July 18, 2005, Planning & Zoning Commission meeting. Commissioner Abraham seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING - PRELIMINARY REPLAT & SITE PLAN
68/EXCHANGE BUSINESS CENTER, BLOCK 2, LOTS 3R, 4, 5R, 6, & 7
APPLICANT: MORSTAN, L.P.**

Mr. Elgin stated this is a request for an existing office-showroom/warehouse facility on one lot, a vacant lot, and two proposed office-showroom/warehouse buildings on two lots on 14.1± acres located at the southwest corner of Franc Drive and Guildler Drive. Zoned Research/Technology Center. Staff recommended approval as follows:

Preliminary Replat: Subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

Site Plan: Subject to staff approval of the landscape plan.

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

There being no discussion, Commissioner Flick made a motion to approve the item subject to staff recommendations. Commissioner Briley seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 12 - PUBLIC HEARING - REPLAT & REVISED SITE PLAN
17/ROBINSON ADDITION, BLOCK 1, LOT 3R
APPLICANT: PLANO INDEPENDENT SCHOOL DISTRICT**

Bester Tauro, Planner, stated this is a request for a public high school on 49.4± acres located on the west side of Preston Meadow Drive, 380± feet south of Legacy Drive. Zoned Single-Family Residence-7. 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 Abraham made a motion to approve the item as submitted. Second Vice Chair Beach seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 13 - PUBLIC HEARING - REPLAT & REVISED SITE PLAN
60/WILLIAMS HIGH SCHOOL, BLOCK 1, LOT 1R
APPLICANT: PLANO INDEPENDENT SCHOOL DISTRICT**

Ms. Tauro stated this is a request for a public high school on 25.2± acres located at the northeast corner of P Avenue and 17th Street. Zoned Single-Family Residence-7. 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, 2nd Vice Chair Beach made a motion to approve the item as submitted. Commissioner Abraham seconded the motion, which passed 7-0.

END OF PUBLIC HEARINGS

There being no further discussion, Chairman Williamson adjourned the meeting at 9:28 p.m.

Planning & Zoning Commissioner

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