

PLANNING & ZONING COMMISSION
AUGUST 1, 2005

COMMISSIONERS PRESENT

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

STAFF PRESENT

Frank Turner, Executive Director
Phyllis M. Jarrell, Director of Planning
Alan Upchurch, City Engineer
Kent McIlyar, Assistant City Attorney III
Tom Elgin, Development Review Manager
Jeff Green, Sr. Traffic Engineer
Christina Day, Sr. Planner
Charles Lee, Planner
Bester Tauro, Planner
Eric Hill, Planning Technician
Priscilla Parra, Sr. Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Williamson at 7:00 p.m., Monday, August 1, 2005.

Commissioner Flick made a motion to approve the agenda as presented. Commissioner Dunlap seconded the motion, which passed 8-0.

Chairman Williamson requested Agenda Item No. 5g be pulled for individual consideration. Commissioner Kezhaya made a motion to approve the remainder of the consent agenda. First Vice Chair Kalchthaler seconded the motion, which passed 8-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - FINAL PLAT 3/CUSTER-RIDGEVIEW ADDITION, BLOCK 1, LOT 1 APPLICANT: DOGGIE ZEN DEN INCORPORATED

A kennel (indoor pens)/commercial pet sitting on one lot on 1.1± acres located on the north side of Ridgeview Drive, 200± feet west of Custer Road. Zoned Retail.

Approved as submitted.

AGENDA ITEM NO. 5B - CONVEYANCE PLAT 65/PLANO-INDEPENDENCE PARKWAY PLACE, BLOCK 1, LOTS 1 & 2 APPLICANT: RACETRAC PETROLEUM, INC.

A convenience store with gasoline pumps, small dry cleaning shop with a drive-through lane, retail, and general and medical office buildings on four lots on 5.5± acres located at the northeast corner of Plano Parkway and Independence Parkway. Zoned Planned Development-374-Retail.

Approved as submitted.

AGENDA ITEM NO. 5C - CONVEYANCE PLAT 55/TRADITION TRAIL INDUSTRIAL PARK ADDITION, BLOCK 1, LOTS 1 & 2 APPLICANT: TRADITION TRAIL LIMITED

Two conveyance lots on 3.1± acres located at the southwest corner of Tradition Trail and Fulgham Road. Zoned Planned Development-131-Light Industrial-1.

Approved as submitted.

AGENDA ITEM NO. 5D - PRELIMINARY SITE PLAN & CONCEPT PLAN 55/TRADITION TRAIL INDUSTRIAL PARK ADDITION, BLOCK 1, LOTS 1, 2, & 3 APPLICANT: TRADITION TRAIL LIMITED

A used car dealer and office/warehouses on three lots on 3.1± acres located at the southwest corner of Tradition Trail and Fulgham Road. Zoned Planned Development-131-Light Industrial-1.

Approved as submitted.

**AGENDA ITEM NO. 5E - REVISED CONVEYANCE PLAT
17/THE HARVARD ADDITION, BLOCK A, LOTS 6R & 7
APPLICANT: GRACE OUTREACH CENTER, INC.**

A four-story, 222-unit, independent living facility and a proposed eight-story, 295,880-square foot office development on two lots on 19.6± acres located on the west side of Ohio Drive, 919± feet north of Spring Creek Parkway. Zoned Planned Development-101-Retail/General Office.

Approved as submitted.

**AGENDA ITEM NO. 5F - PRELIMINARY SITE PLAN
17/THE HARVARD ADDITION, BLOCK A, LOT 6R
APPLICANT: GRACE OUTREACH CENTER, INC.**

A four-story, 222-unit, independent living facility on one lot on 6.9± acres located on the west side of Ohio Drive, 919± feet north of Spring Creek Parkway. Zoned Planned Development-101-Retail/General Office.

Approved as submitted.

**AGENDA ITEM NO. 5H - PRELIMINARY PLAT
17/LEGACY AT WILLOW BEND RETIREMENT COMMUNITY ADDITION, BLOCK A,
LOT 1
APPLICANT: LEGACY SENIOR COMMUNITY, INC.**

A continuing care facility on one lot on 28.1± acres at the northeast corner of Spring Creek Parkway and Preston Road. Zoned Planned Development-101-Retail/General Office.

Approved subject to City Council abandonment of a 3.7± acre tract of excess rights-of-way located at the southwest corner of the property.

END OF CONSENT AGENDA

ITEM FOR INDIVIDUAL CONSIDERATION

**AGENDA ITEM NO. 5G - CONCEPT PLAN
17/THE HARVARD ADDITION, BLOCK A, LOTS 6R & 7
APPLICANT: GRACE OUTREACH CENTER, INC.**

Charles Lee, Planner, stated this is a request for a four-story, 222-unit, independent living facility and a proposed eight-story, 295,800-square foot office development on 19.6± acres located on the west side of Ohio Drive, 919± feet north of Spring Creek Parkway. Zoned Planned Development-101-Retail/General Office. Staff recommended approval as submitted.

After a brief discussion, Commissioner Dunlap made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 8-0.

END OF ITEM FOR INDIVIDUAL CONSIDERATION

AGENDA ITEM NO. 6 - DISCUSSION AND DIRECTION RICE FIELD REDEVELOPMENT APPLICANT: CITY OF PLANO

Frank Turner, Executive Director, introduced Scott Schaffer, representing Lexington Luxury Builders, who presented the proposed Rice Field redevelopment project located at the southwest corner of 18th Street and G Avenue.

There was a brief discussion, but no action was taken on this item.

AGENDA ITEM NO. 7 - DISCUSSION AND DIRECTION PROPOSED 2005-2006 COMMUNITY INVESTMENT PROGRAM AND WATER AND WASTEWATER IMPACT FEE REPORT APPLICANT: CITY OF PLANO

Alan Upchurch, City Engineer, presented the proposed 2005-2006 Community Investment Program (CIP) and a report on the city's Water and Wastewater Impact Fee Program. Staff recommended the CIP for approval subject to the Planning & Zoning Commission finding that the CIP furthers the goals and objectives of the Comprehensive Plan.

After some discussion, Commissioner Dunlap made a motion to approve that the CIP furthers the goals and objectives of the Comprehensive Plan, and that the Water and Wastewater Impact Fee Program is being administered in an equitable manner. Commissioner Kezhaya seconded the motion, which passed 8-0.

PUBLIC HEARINGS

AGENDA ITEM NO. 8 - 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 and 07/05/05. Staff recommended that the Commission accept the applicant's request to table the item to the September 6, 2005, Planning & Zoning Commission meeting.

The Commission accepted the applicant's request to further table the item to the September 6, 2005, Planning & Zoning Commission meeting.

Agenda Item Nos. 9A and 9B were presented together.

**AGENDA ITEM NO. 9A - PUBLIC HEARING
ZONING CASE 2005-25
APPLICANT: CUSTER PARKER LTD. AND HOME DEPOT**

Mr. Lee stated this is a request to rezone a portion of Planned Development-90-Retail (PD-90-R) from PD-90-R to Planned Development-Retail (PD-R). The purpose of this rezoning is to allow a proposed superstore redevelopment on 10.6± acres located generally at the northeast corner of Parker Road and Custer Road. Zoned Planned Development-90-Retail. Tabled 07/05/05 and 07/18/05. Within the 200 foot notice area, 10 letters were received for the item, three in support and seven in opposition. Outside the 200 foot notice area, 78 letters were received for the item, 11 in support and 67 in opposition.

Commissioner Flick made a motion to remove the item from the table. Commissioner Kezhaya seconded the motion, which passed 8-0.

Staff recommended approval as Planned Development-Retail zoning subject to:

1. Building material sales and superstore are additional allowed uses.
2. The supplemental regulations for superstore use are amended as follows:
 - a. The required landscape edge along residential district boundary lines shall be a minimum of 20 feet in width.
 - b. The required landscape edge along Parker Road shall be a minimum of 25 feet in width.
 - c. The separation distance between the superstore building and adjacent residential zoning district shall be a minimum of 60 feet in width.
3. The required parking shall be 496 parking spaces.

The public hearing was opened. Bill Dahlstrom, Jim Sommers, Hunter Stansbury, and Brian Glazer, all representing the applicant, and John Woolard, and Paul McGinnis spoke in support of the item. David Smith, representing Copper Creek HOA, Ken Allat, Mary Kroncke, Audrey Doncell, Darryl Lyons, Anthony Kidoor, Ruben Doncell, Charles Anglin, Jeffrey Pettit, Nigel Reed, Ronda Derk, and Bruce Potter spoke in opposition to the item. Their concerns were: having to change the zoning, building material sales being too noisy for a residential area, aesthetics such as visible pallets, trash compactors, and materials stored outside, dock concerns, reduction of retail space in the area since some tenants will have to vacate, incompatibility with existing stores, setting a precedent for zoning changes, traffic concerns, trailers parked in the parking lot, acreage too small for high density development, too much activity will clash with other businesses, competition with other stores, parking safety, the facade not blending in with the other businesses, potential for abandonment of building, construction affecting other businesses, fluctuation of property value for tenants, economic disadvantage, not ideal location, other Home Depots in Plano, not beneficial to area, not ethically responsible growth, safety concerns, low visibility when crossing two-way traffic, cut-through traffic, and may hurt existing retailers. 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 September 6, 2005, meeting. Commissioner Briley seconded the motion, which passed 5-3. Second Vice Chair Beach, Commissioner Abraham, and Commissioner Flick voted in opposition, giving no reasons for their votes.

**AGENDA ITEM NO. 9B - REVISED PRELIMINARY SITE PLAN
34/PARKER PLAZA EAST, SECTIONS TWO & THREE, BLOCK A, LOT 3R
APPLICANT: THE HOME DEPOT**

Mr. Lee stated this is a request for a building material sales superstore on one lot on 10.6± acres located at the northeast corner of Parker Road and Custer Road. Zoned Planned Development-90-Retail. Staff recommended approval subject to City Council approval of Zoning Case 2005-25.

There being no discussion, Commissioner Dunlap made a motion to table the item to the September 6, 2005, meeting. Commissioner Briley seconded the motion, which passed 7-1. Commissioner Abraham voted in opposition, giving no reason for his vote.

**AGENDA ITEM NO. 10 - PUBLIC HEARING
ZONING CASE 2005-26
APPLICANT: CITY OF PLANO**

Tom Elgin, Development Review Manager, stated this is a request to amend standards of Planned Development-65-Central Business-1 (PD-65-CB-1) relating to signage regulations; street, sidewalk, and streetscape regulations; retail development standards; single-family residence attached development standards; and other design and bulk standards of the planned development district. Zoned Planned Development-65-Central Business-1. Staff recommended that the Commission accept the applicant's request to table the item to the September 6, 2005, Planning & Zoning Commission meeting.

There being no discussion, Commissioner Kezhaya made a motion to table the item to the September 6, 2005, meeting. First Vice Chair Kalchthaler seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING – REPLAT
55/HUFFMAN BUSINESS PARK ADDITION, BLOCK 2, LOT 3R
APPLICANT: HUFFMAN BUILDERS L.P.**

Mr. Lee stated this is a request for an office-showroom/warehouse development and a medical office building on one lot on 3.3± acres located at the northwest corner of Tradition Trail and Fulgham Road. Zoned Planned Development-131-Light Industrial-1. 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 Kezhaya made a motion to approve the item as submitted. Second Vice Chair Beach seconded the motion, which passed 8-0.

END OF PUBLIC HEARINGS

**AGENDA ITEM NO. 12 - PRELIMINARY SITE PLAN & CONCEPT PLAN
21/CENTRAL LEGACY PLAZA, BLOCK 1, LOTS 1 & 2
APPLICANT: CENTRAL LEGACY INVESTMENT, LTD.**

Mr. Lee stated this is a request for a retail shopping center, including restaurants and office buildings, on two lots on 35.1± acres located at the southeast corner of Chase Oaks Boulevard and Legacy Drive. Zoned Corridor Commercial. Staff recommended approval subject to:

1. Planning & Zoning Commission acceptance of the TIA.
2. Staff approval of the general tree survey.

3. Letter of permission from TXU to allow for improvements within TXU's utility easement.

After a brief discussion, Commissioner Briley made a motion to approve the item subject to staff recommendations. Commissioner Kezhaya seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 13 - REQUEST TO CALL A PUBLIC HEARING
RICE FIELD REDEVELOPMENT
APPLICANT: CITY OF PLANO**

Mr. Elgin stated this is a request to call a public hearing to rezone property in the vicinity of 18th Street and G Avenue relating to the redevelopment of Rice Field. Staff recommended that the Commission call a public hearing to rezone property in the vicinity of 18th Street and G Avenue associated with the Rice Field redevelopment.

There being no discussion, Commissioner Dunlap made a motion to call a public hearing to rezone property in the vicinity of 18th Street and G Avenue relating to the redevelopment of Rice Field. Commissioner Flick seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 14 - REQUEST TO CALL A PUBLIC HEARING
RESCINDING SPECIFIC USE PERMIT #513 FOR HOUSEHOLD CARE INSTITUTION
APPLICANT: CITY OF PLANO**

Mr. Elgin stated this is a request to call a public hearing to rescind Specific Use Permit #513 (SUP #513) for Household Care Institution located on the east side of Coit Road, 500± feet north of Spring Creek Parkway. Staff recommended that the Commission call a public hearing to rescind SUP #513 for Household Care Institution.

After a brief discussion, Commissioner Kezhaya made a motion to call a public hearing to rescind SUP #513 for Household Care Institution. First Vice Chair Kalchthaler seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 15 - DISCUSSION AND DIRECTION
AESTHETIC STANDARDS FOR PARKING STRUCTURES
APPLICANT: CITY OF PLANO**

This discussion and direction item is a mid-term priority project of the Planning & Zoning Commission Work Program. The intent of the project is to explore the creation of facade and design standards for parking structures.

There being no discussion, Commissioner Dunlap made a motion to table the item to the August 17, 2005, work session. Commissioner Flick seconded the motion, which passed 8-0.

AGENDA ITEM NOS. 9A AND 9B

Bill Dahlstrom, representing the applicant for Agenda Item Nos. 9A and 9B, requested that these items be reopened and tabled to the August 15, 2005, meeting rather than the September 6, 2005, meeting.

After a brief discussion, Commissioner Flick made a motion to reconsider Agenda Item Nos. 9A and 9B. First Vice Chair Kalchthaler seconded the motion, which passed 6-2. Commissioners Kezhaya and Dunlap voted in opposition, giving no reasons for their votes.

There being no further discussion, Commissioner Briley made a motion to table Agenda Item Nos. 9A and 9B to the August 15, 2005, meeting. Second Vice Chair Beach seconded the motion, which passed 8-0.

There being no further discussion, Chairman Williamson adjourned the meeting at 11:32 p.m.

Planning & Zoning Commissioner

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