

PLANNING & ZONING COMMISSION
SEPTEMBER 6, 2005

COMMISSIONERS PRESENT

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

COMMISSIONER ABSENT

Dennis Abraham

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, Sr. Administrative Assistant
Lawana Downs, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Williamson at 7:00 p.m., Monday, September 6, 2005.

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

Commissioner Briley made a motion to approve the May 3, 2005, work session and August 15, 2005, meeting minutes. Commissioner Kezhaya seconded the motion, which passed 7-0.

Commissioner Dunlap requested Agenda Item Nos. 5c and 5d be pulled for individual consideration. Commissioner Kezhaya made a motion to approve the remainder of the consent agenda. Second Vice Chair Beach seconded the motion, which passed 7-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - PRELIMINARY PLAT 2/COIT/RIDGEVIEW APARTMENTS, BLOCK 1, LOT 1 APPLICANT: UDR TEXAS PROPERTIES, L.P.

202 multifamily units on one lot on 13.5± acres located at the northeast corner of Coit Road and Ridgeview Drive. Zoned Planned Development-46-Multifamily Residence-2.

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

AGENDA ITEM NO. 5B - REVISED CONVEYANCE PLAT 2/COIT/RIDGEVIEW APARTMENTS & TOWNHOMES, BLOCK 1, LOTS 1, 2, & 3 APPLICANT: UDR TEXAS PROPERTIES, L.P.

Three conveyance lots on 34.0± acres located at the northeast corner of Coit Road and Ridgeview Drive. Zoned Planned Development-46-Multifamily Residence-2.

Approved subject to execution of a Subdivision Improvement Agreement.

AGENDA ITEM NO. 5E - REVISED PRELIMINARY SITE PLAN 3/ESTANCIA AT RIDGEVIEW RANCH, BLOCK A, LOT 1 APPLICANT: HRC RANCH, LTD.

500 multifamily units on one lot on 36.3± acres located at the southeast corner of Independence Parkway and State Highway 121. Zoned Planned Development-476-Regional Employment.

Approved as submitted.

AGENDA ITEM NO. 5F - REVISED SITE PLAN 55/HUFFINES DODGE ADDITION, BLOCK A, LOT 1R APPLICANT: HUFFINES DODGE CHRYSLER JEEP INC.

A new car dealer on one lot on 11.2± acres located at the southeast corner of Ohio Drive and Plano Parkway. Zoned Planned Development-426-Retail/General Office with Specific Use Permit #384 for New and Used Car Dealer.

Approved as submitted.

AGENDA ITEM NO. 5G - REVISED CONVEYANCE PLAT 13/LEGACY CENTRAL THEATER ADDITION, BLOCK A, LOTS 3, 5, 6, & 7 APPLICANT: FAIRVIEW FARM LAND COMPANY

Four conveyance lots on 8.4± acres located at the southwest corner of U.S. Highway 75 and Chase Oaks Boulevard. Zoned Corridor Commercial.

Approved as submitted.

**AGENDA ITEM NO. 5H - REVISED PRELIMINARY SITE PLAN & CONCEPT PLAN
13/LEGACY CENTRAL THEATER ADDITION, BLOCK A, LOTS 3, 5, 6, & 7
APPLICANT: FAIRVIEW FARM LAND COMPANY**

Auto leasing and restaurant uses on four lots on 8.4± acres located at the southwest corner of U.S. Highway 75 and Chase Oaks Boulevard. Zoned Corridor Commercial.

Approved as submitted.

**AGENDA ITEM NO. 5I
9/PRELIMINARY PLAT: DEERFIELD NORTH, PHASE III
APPLICANT: STRS PLANO L.P.**

64 Single-Family Residence-7 lots and three open space lots on 21.1± acres located on the south side of Hedgcoxe Road, 210± feet west of Preston Meadow Drive. Zoned Planned Development-439-Single-Family Residence-7.

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

**AGENDA ITEM NO. 5J
55/PRELIMINARY PLAT: SUBARU ADDITION, BLOCK A, LOT 2
APPLICANT: SUBARU OF AMERICA**

An existing car dealer on one lot on 4.0± acres located on the south side of Plano Parkway, 550± feet east of Ohio Drive. Zoned Planned Development-426-Retail/General Office with Specific Use Permit #384 for New and Used Car Dealer.

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

END OF CONSENT AGENDA

ITEMS FOR INDIVIDUAL CONSIDERATION

Commissioner Dunlap stepped down for Agenda Item Nos. 5c and 5d.

**AGENDA ITEM NO. 5C - REVISED CONVEYANCE PLAT
32/COIT-SPRING CREEK ADDITION, BLOCK 1, LOTS 3R, 4, 5, 6, 7, & 8
APPLICANT: STONE DEVELOPMENT CORPORATION**

Bester Tauro, Planner, stated this is a request for six conveyance lots on 10.6± acres located on the south side of Spring Creek Parkway, 208± feet west of Coit Road. Zoned Retail. Staff recommended approval as submitted.

There being no discussion, 2nd Vice Chair Beach made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 6-0.

**AGENDA ITEM NO. 5D - PRELIMINARY SITE PLAN & CONCEPT PLAN
32/COIT-SPRING CREEK ADDITION, BLOCK 1, LOTS 3R, 4, & 5
APPLICANT: STONE DEVELOPMENT CORPORATION**

Ms. Tauro stated this is a request for a retail and office development on six lots on 10.6± acres located on the south side of Spring Creek Parkway, 208± feet west of Coit Road. Zoned Retail. Staff recommended approval as submitted.

There being no discussion, Commissioner Flick made a motion to approve the item as submitted. Commissioner Briley seconded the motion, which passed 6-0.

Commissioner Dunlap resumed his seat.

END OF ITEMS FOR INDIVIDUAL CONSIDERATION

PUBLIC HEARINGS

Agenda Item Nos. 6A and 6B were presented together.

**AGENDA ITEM NO. 6A - 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 and Single-Family Residence-6. Tabled 06/06/05, 07/05/05, and 08/01/05. Forty-three letters were received for the item, two in support and forty-one in opposition. Staff recommended approval as submitted.

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

The public hearing was opened. Rich Alpert, representing the applicant, and Pat Miner spoke in support of the item. No one else spoke for or against the item. The public hearing was closed.

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

AGENDA ITEM NO. 6B
24/PHASE TWO LAND STUDY: THE TRAILS OF GLENWOOD
APPLICANT: NEWMARK HOMES

Ms. Day stated this is a request for 299 Single-Family Residence-7 (SF-7) lots, 212 Single-Family Residence-6 (SF-6) lots, one park lot, and one amenity center lot on 199.0± acres located at the northeast corner of Los Rios Boulevard and Cloverhaven Way. Zoned Agricultural. Staff recommended approval subject to:

1. City Council approval of Zoning Case 2005-16.
2. TXU granting permission for streets and utilities to cross the electrical easement.

There being no discussion, Commissioner Kezhaya made a motion to approve the item subject to staff recommendations. First Vice Chair Kalchthaler seconded the motion, which passed 7-0.

Agenda Item Nos. 7A and 7B were presented together.

AGENDA ITEM NO. 7A
PUBLIC HEARING: ZONING CASE 2005-25
APPLICANT: CUSTER PARKER LTD.

Tom Elgin, Development Review Manager, stated this is a request to rezone a portion of Planned Development-90-Retail (PD-90-R) for 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, 07/18/05, 08/01/05, and 08/15/05. 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, 139 letters were received for the item, 13 in support and 126 in opposition. Two undecided letters were received. 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 461 parking spaces.

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

The public hearing was opened. Bill Dahlstrom and Brian Glazer, representing the applicant, Pamela Cowgill, Mary Buechler, Amy King, Pete Perkins, Sophie Krieger, Gordon Pulis, Stephanie Zajac, Charles Anglin, Jennifer Reynolds, Gary Hirsch, Michael Wilson, Bruce Potter, Yevgeny Marchenko, Trey Hodge, Blane O'Banion, and Cathy Rudy spoke in support of the item. David Smith, representing Copper Creek HOA, Ken Allatt, Audrey Doncell, Doug Matzke, Ruben Doncell, Mary Kroncke, Christopher Williams, and Mary Beth Ponce spoke in opposition to the item. Their concerns were: noise, non-compliance with land use, the direction the building faces, dock and storage concerns, aesthetics, setback issues, trailers parked outside, not designed for the neighborhood, deviation on zoning provisions, impact on neighboring retailers, fluctuation of property value, drainage issues, granting of too many variances, protection of neighborhood, and non-compatible with environment. No one else spoke for or against the item. The public hearing was closed.

After some discussion, 1st Vice Chair Kalchthaler made a motion to approve the item subject to staff recommendations. Commissioner Briley seconded the motion. Commissioner Flick proposed an amendment to the motion, to attach the revised preliminary site plan as part of the zoning exhibit. The amendment failed due to lack of a second. The commissioners voted on 1st Vice Chair Kalchthaler's initial motion, which passed 5-2. Commissioners Flick and Dunlap voted in opposition to the item. Generally, Commissioner Flick supported the request, but felt that the revised preliminary site plan should be attached as part of the planned development district. Commissioner Dunlap felt that the land use and scale of the proposed development was inappropriate for the site.

**AGENDA ITEM NO. 7B - REVISED PRELIMINARY SITE PLAN
35/PARKER PLAZA EAST, SECTIONS TWO & THREE, BLOCK A, LOT 3R
APPLICANT: THE HOME DEPOT**

Mr. Elgin 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, 2nd Vice Chair Beach made a motion to approve the item subject to staff recommendations. Commissioner Kezhaya seconded the motion, which passed 5-2. Commissioners Flick and Dunlap voted in opposition to the item.

Chairman Williamson called a break at 8:47 p.m.

The meeting was reconvened at 8:51 p.m.

**AGENDA ITEM NO. 8
PUBLIC HEARING: ZONING CASE 2005-26
APPLICANT: CITY OF PLANO**

Ms. Day 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. Tabled 08/01/05. Staff recommended that the Commission accept staff's request to table the item to the October 24, 2005, Planning & Zoning Commission meeting.

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 table the item to the October 24, 2005, Planning & Zoning Commission meeting. Commissioner Briley seconded the motion, which passed 7-0.

Staff discovered that October 24, 2005, was the wrong date and asked the Commission to reconsider tabling the item to the October 17, 2005, meeting.

There being no discussion, Commissioner Kezhaya made a motion to table the item to the October 17, 2005, Planning & Zoning Commission meeting. Commissioner Briley seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 9 - PUBLIC HEARING
ZONING CASE 2005-30
APPLICANT: BERKELEY CENTER, GP, LLC**

Ms. Day stated this is a request to rezone 3.7± acres located at the west end of Early Morn Drive, 500± feet west of Ohio Drive and 450± feet north of Park Boulevard from Retail to Planned Development-Single-Family Residence Attached. Staff recommended that the Commission accept the applicant's request to table the item to the October 3, 2005, Planning & Zoning Commission meeting.

There being no discussion, Commissioner Kezhaya made a motion to table the item to the October 3, 2005, Planning & Zoning Commission meeting. First Vice Chair Kalchthaler seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING - PRELIMINARY REPLAT & SITE PLAN
8/CHILDREN'S MEDICAL CENTER LEGACY CAMPUS, BLOCK A, LOT 1
APPLICANT: CHILDREN'S MEDICAL CENTER**

Ms. Day stated this is a request for a hospital and medical office buildings on one lot on 56.0± acres located at the southwest corner of Preston Road and Hedgcoxe Road. Zoned Commercial Employment. 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 Planning & Zoning Commission acceptance of the TIA.

The public hearing was opened. Chris Frysinger, representing the applicant, spoke in support of the item. No one else spoke for or against the item. The public hearing was closed.

After a brief discussion, Commissioner Kezhaya made a motion to approve the item subject to staff recommendations. Commissioner Flick seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING – REPLAT
16/EDS CLUSTERS, BLOCK A, LOTS 1, 2, 3, & 4
APPLICANT: EDS INFORMATION SERVICES, LLC**

Ms. Day stated this is a request for a corporate campus on four lots on 153.7± acres located at the southwest corner of Legacy Drive and Windcrest Drive. Zoned Commercial Employment. 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. Commissioner Briley seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 12 - PUBLIC HEARING – REPLAT
8/OMNICOM, PHASE 1, BLOCK A, LOT 1R
APPLICANT: TRAMMEL CROW COMPANY**

Ms. Day stated this is a request for an existing office development on one lot on 20.9± acres located at the northeast corner of Legacy Drive and Parkwood Boulevard. Zoned Commercial Employment. Staff recommended approval as submitted.

The public hearing was opened. Glenn Hitt, representing the applicant, stated he was available for questions. No one else 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. Commissioner Kalchthaler seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 13 - PUBLIC HEARING - PRELIMINARY REPLAT & REVISED
SITE PLAN
22/RANEY ADDITION, BLOCK 1, LOT 1R
APPLICANT: NMCA, LLC**

Ms. Day stated this is a request for an existing car wash and an indoor commercial amusement building on one lot on 1.9± acres on the north side of Spring Creek Parkway, 650± feet east of K Avenue. Zoned Retail. Staff recommended approval as follows:

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

Revised Site Plan: Subject to:

1. The Fire Department granting a variance to the 150 foot hose-lay requirement.
2. Staff approval of the landscape plan.

The public hearing was opened. Thad Weems, representing the applicant, stated he was available for questions. No one else spoke for or against the item. The public hearing was closed.

There being no discussion, Commissioner Kezhaya made a motion to approve the item subject to staff recommendations. Second Vice Chair Beach seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 14 - PUBLIC HEARING - PRELIMINARY REPLAT & REVISED
SITE PLAN
65/UNITED CITY CENTER ADDITION, BLOCK 1, LOT 3R
APPLICANT: AGNICH INDEPENDENCE, LP**

Ms. Day stated this is a request for a retail building on one lot on 0.7± acre located at the southeast corner of Independence Parkway and 15th Street. Zoned Planned Development-125-Retail/General Office. Staff recommended approval as follows:

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

Revised Site Plan: Subject to:

1. Staff approval of the facade plan.
2. 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 Kezhaya made a motion to approve the item subject to staff recommendations. Commissioner Briley seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 15 - PUBLIC HEARING – REPLAT
67/MERVYN'S DISTRIBUTION CENTER, BLOCK 1, LOTS 1R & 2R
APPLICANT: MDS TEXAS REALTY I, L.P.**

Mr. Elgin stated this is a request for a warehouse/distribution center on one lot on 36.8± acres and a general office building on one lot on 4.3± acres located at the southwest corner of Plano Parkway and Stewart Avenue. Zoned Light Industrial-1. Staff recommended approval as submitted.

The public hearing was opened. Bryan Burger, representing the applicant, stated he was available for questions. No one else spoke for or against the item. The public hearing was closed.

After a brief discussion, Commissioner Kezhaya made a motion to approve the item as submitted. Second Vice Chair Beach seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 16 - PUBLIC HEARING – REPLAT
34/PLANO CHINESE ALLIANCE CHURCH, BLOCK A, LOT 1R
APPLICANT: PLANO CHINESE ALLIANCE CHURCH**

Ms. Tauro stated this is a request for a church on one lot on 6.0± acres located at the southwest corner of Bay Hill Drive and Custer Road. Zoned Neighborhood Office. 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. First Vice Chair Kalchthaler seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 17 - PUBLIC HEARING – REPLAT
67/P.R. GARRETT ADDITION, BLOCK 8, LOTS 3R & 4R
APPLICANT: CHICAGO LEGACY GROUP**

Ms. Tauro stated this is a request for two general residential lots on 0.2± acre located on the south side of F Avenue, 102± feet south of 13th Street. Zoned General Residential. Staff recommended approval as submitted.

The public hearing was opened. Pat Guest, representing the applicant, stated he was available for questions. No one else 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. First Vice Chair Kalchthaler seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 18 - PUBLIC HEARING – REPLAT
16/LAKES ON TENNYSON, BLOCK A, LOT 1
APPLICANT: GOLDEN GOOSE PROPERTIES**

Ms. Tauro stated this is request for an office development on one lot on 18.0± acres located at the southeast corner of Tennyson Parkway and Whitestone Lane. Zoned Commercial Employment. 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 Briley made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 7-0.

END OF PUBLIC HEARINGS

There being no further discussion, Chairman Williamson adjourned the meeting at 9:10 p.m.

Planning & Zoning Commissioner

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