

**PLANNING & ZONING COMMISSION
SEPTEMBER 19, 2005**

COMMISSIONERS PRESENT

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

COMMISSIONER ABSENT

Laura Williamson, Chairman

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
Laleh Soltan, Neighborhood Planner
Sam Ball, Neighborhood Planner
Eric Hill, Planning Technician
Stacy Christison, Technical Administrative Assistant
Lawana Downs, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by First Vice Chair Kalchthaler at 7:00 p.m., Monday, September 19, 2005.

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

Commissioner Kezhaya made a motion to approve the August 17, 2005, Informational Session on Rice Field Minutes, the September 6, 2005, Regular Meeting Minutes with corrections, and the September 7, 2005, Work Session Minutes. Commissioner Briley seconded the motion, which passed 7-0.

Commissioner Kezhaya requested Agenda Item No. 5c be pulled for individual consideration. Commissioner Kezhaya made a motion to approve the remainder of the consent agenda. Commissioner Abraham seconded the motion, which passed 7-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - FINAL PLAT 3/COURTNEY MANOR ADDITION, BLOCK A, LOT 1 APPLICANT: COURTNEY MANOR APARTMENTS L.P.

322 multifamily units on one lot on 19.3± acres located on the east side of Independence Parkway, 650± feet north of McDermott Road. Zoned Multifamily Residence-2.

Approved as submitted.

AGENDA ITEM NO. 5B - PRELIMINARY PLAT 1/HIDDEN CREEK ESTATES, PHASES 3 & 4 APPLICANT: PASQUINELLI PORTRAIT HOMES L.P.

193 Single-Family Residence Attached lots, six open space lots, and one public park dedication on 23.7± acres located at the northeast corner of McDermott Road and Robinson Road. Zoned Planned Development-38-Multifamily Residence-2.

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

AGENDA ITEM NO. 5D - PRELIMINARY SITE PLAN 3/CUSTER RIDGEVIEW ADDITION, BLOCK 1, LOT 5 APPLICANT: CUSTER RIDGEVIEW LP

A retail building on one lot on 1.5± acres located at the northwest corner of Custer Road and Ridgeview Drive. Zoned Retail.

Approved as submitted.

END OF CONSENT AGENDA

ITEM FOR INDIVIDUAL CONSIDERATION

AGENDA ITEM NO. 5C - REVISED SITE PLAN 58/WOODARD ADDITION, BLOCK A, LOT 1R APPLICANT: THE BRYTAR COMPANIES

Bester Tauro, Planner, stated this is a request for retail and restaurant on one lot on 1.0± acres located on the west side of U.S. Highway 75, 176± feet south of Chisholm Place. Zoned Corridor Commercial with Specific Use Permits #187 for Restaurant, #188 for Private Club, and #324 for Private Club. 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, meeting. Second Vice Chair Beach seconded the motion, which passed 7-0.

END OF ITEM FOR INDIVIDUAL CONSIDERATION

PUBLIC HEARINGS

AGENDA ITEM NO. 6 - PUBLIC HEARING & CONSIDERATION PARK FOREST II NEIGHBORHOOD ACTION PLAN APPLICANT: CITY OF PLANO

Laleh Soltan, Neighborhood Planner, stated this is a consideration of the Park Forest II Neighborhood Action Plan for the general area bounded on the east by Alma Drive, on the west by Green Oaks Drive, on the north by Spring Creek Parkway, and on the south by Cross Bend Road. Staff recommended approval and acceptance of the plan.

The public hearing was opened. Greg Gormley, representing the Park Forest II neighborhood, gave a presentation of the plan. No one else spoke for or against the item. The public hearing was closed.

After some discussion, Commissioner Kezhaya made a motion to accept the plan as submitted. Commissioner Dunlap seconded the motion, which passed 7-0.

AGENDA ITEM NO. 7 - PUBLIC HEARING & CONSIDERATION THUNDERBIRD NEIGHBORHOOD ACTION PLAN APPLICANT: CITY OF PLANO

Sam Ball, Neighborhood Planner, stated this is a consideration of the Thunderbird Neighborhood Action Plan for the general area bounded on the north and west by Alma Drive, on the south by Parker Road, and on the east by Premier Drive. Staff recommended approval and acceptance of the plan.

The public hearing was opened. Frank Kalbac, representing the Thunderbird neighborhood, gave a presentation of the plan. No one else spoke for or against the item. The public hearing was closed.

There being no discussion, Commissioner Flick made a motion to accept the plan as submitted. Commissioner Kezhaya seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 8 - PUBLIC HEARING
ZONING CASE 2005-32
APPLICANT: CITY OF PLANO**

Christina Day, Sr. Planner, stated this is a request to rescind Specific Use Permit #513 for Household Care Institution on one lot on 7.0± acres located on the east side of Coit Road, 500± feet north of Spring Creek Parkway. Zoned Planned Development-145-General Office with Specific Use Permit #513 for Household Care Institution. No letters were received for the item. 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 Abraham seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 9 - PUBLIC HEARING
ZONING CASE 2005-33
APPLICANT: WILLIAM AND ANNETTE ARMSTRONG**

Tom Elgin, Development Review Manager, stated this is a request for Heritage Resource designation on one lot on 0.3± acre located at the northeast corner of N Place and 17th Street. Zoned Single-Family Residence-7. One letter was received in opposition to the item. Staff recommended approval as submitted.

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

After some discussion, Commissioner Kezhaya made a motion to approve the item as submitted. Commissioner Flick seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING
ZONING CASE 2005-34
APPLICANT: RACHEL POPE**

Mr. Elgin stated this is a request for a Specific Use Permit for Day Care (In-home) on one lot on 0.2± acre located on the south side of Grifbrick Drive, 80± feet east of Graphic Place. Zoned Single-Family Residence-7. 19 letters were received for the item, 17 in support, and two in opposition. Also, one petition with 19 signatures was received in support of the item. Staff recommended approval with the following restriction:

- In-home day care is operated as a home occupation use only.

The public hearing was opened. Rachel Pope, the applicant, Wally Toews, Brian Kimbrell, Doris Davis, Sally Anderson, Matt Wright, and John Davis all spoke in support of the item. No one else spoke for or against the item. The public hearing was closed.

After much 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 Nos. 11A and 11B were presented together.

AGENDA ITEM NO. 11A - PUBLIC HEARING
ZONING CASE 2005-35
APPLICANT: ASG PRESTON CREEK RETAIL CENTER LTD

Ms. Day stated this is a request to rezone 9.5± acres located on the east side of Preston Road, 490± feet south of McDermott Road from Planned Development-20-Mixed Use with Specific Use Permit #553 for Private Club to Planned Development-Mixed Use with Specific Use Permit #553 for Private Club. Zoned Planned Development-20-Mixed Use with Specific Use Permit #553 for Private Club. Five letters were received for the item, four in support, and one in opposition. Staff recommended denial.

The public hearing was opened. Kirk Williams, representing the applicant, James Hankins, Pramod Prodduturi, and Wyatt Russo, all spoke in support of the item. No one else spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Flick made a motion to approve the item. Second Vice Chair Beach seconded the motion, which passed 4-3. First Vice Chair Kalchthaler and Commissioners Briley and Abraham voted in opposition. First Vice Chair Kalchthaler and Commissioner Briley supported tabling the item to further look at the planned development district requirements. Commissioner Abraham gave no reason for his vote.

AGENDA ITEM NO. 11B - CONCEPT PLAN
1/PRESTON CREEK SHOPPING CENTER ADDITION, BLOCK A, LOTS 1 & 2
APPLICANT: ASG PRESTON CREEK RETAIL CENTER LTD

Ms. Day stated this is a request for retail and restaurant development on two lots on 9.5± acres located on the east side of Preston Road, 374± feet south of McDermott Road. Zoned Planned Development-20-Mixed Use. Staff recommended denial.

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. Second Vice Chair Beach seconded the motion, which passed 4-3. First Vice Chair Kalchthaler and Commissioners Briley and Abraham voted in opposition, giving no reason for their votes.

**AGENDA ITEM NO. 12 - PUBLIC HEARING
ZONING CASE 2005-36
APPLICANT: CAY TRUST NO. 2 AND PRESTON/121 J.V.**

Mr. Elgin stated this is a request to rezone 57.0± acres located on the north side of McDermott Road, 270± feet east of Ohio Drive and west of the future extension of Rasor Boulevard from Regional Commercial and Neighborhood Office to Planned Development-Single-Family Residence Attached and Planned Development-Single-Family Residence-6. Zoned Regional Commercial and Neighborhood Office. No letters were received for the item. Staff recommended that this item be tabled to the October 3, 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 3, 2005, meeting. Commissioner Briley seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 13 - PUBLIC HEARING - REPLAT
25/KING'S RIDGE ADDITION, PHASE II, BLOCK A, LOT 36R & BLOCK L, LOT 1R
APPLICANT: WEIR & ASSOCIATES**

Mr. Elgin stated this is a request for one Patio Home residential lot and one open space lot on 3.6± acres located on the west side of Spring Creek Parkway, 1,050± feet south of Kings Manor Lane. Zoned Single-Family Residence-9 and Patio Home. Two letters were received in support of the item. 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 Abraham seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 14 - PUBLIC HEARING - REPLAT
55/PRESTON OHIO ADDITION, BLOCK 1, LOTS 2R & 7
APPLICANT: BAYLOR HEALTHCARE SYSTEMS**

Mr. Elgin stated this is a request for an existing retail, office, and office-showroom/warehouse development on one lot and a parking lot on one lot on 9.4± acres located on the west side of Ohio Drive, 529± feet south of West Plano Parkway. Zoned Planned Development-138-Retail/General Office and Planned Development-402-Retail/General Office. No letters were received for the item. 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 7-0.

**AGENDA ITEM NO. 15 - PUBLIC HEARING - REPLAT
67/ORIGINAL DONATION, BLOCK 19, LOTS 5A & 5B
APPLICANT: S.C. BROWN**

Ms. Tauro stated this is a request for two General Residential lots on 0.3± acre located at the northwest corner of 13th Street and H Avenue. Zoned General Residential. No letters were received for the item. Staff recommended denial.

The public hearing was opened. Steve Brown, representing the applicant, spoke in support of the item. 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 7-0.

**AGENDA ITEM NO. 16 - PUBLIC HEARING - REPLAT
29/RED WOLF ESTATES, BLOCK A, LOTS 10R & 11
APPLICANT: MARTIN L. RAYMOND**

Ms. Tauro stated this is a request for two Single-Family Residence-20 residential lots on 1.2± acres located on the south side of Timber Wolf Trail, 370± feet west of Red Wolf Lane. Zoned Single-Family Residence-20. One letter was received in opposition to the item. Staff recommended approval as submitted.

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

After some discussion, Commissioner Kezhaya made a motion to approve the item as submitted. Commissioner Abraham seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 17 - PUBLIC HEARING - REPLAT
25/SHOAL CREEK, PHASE 1, BLOCK C, LOTS 14R & 15R
APPLICANT: R. D. & J. F. RINKER**

Ms. Tauro stated this is a request for two Single-Family Residence-9 residential lots on 0.8± acre located at the southeast corner of Twin Oak Drive and Rockbluff Circle. Zoned Planned Development-480-Single-Family Residence-9. Four letters were received in support of the item. Staff recommended approval as submitted.

The public hearing was opened. Ray Rinker, the applicant, 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 Kezhaya made a motion to approve the item as submitted. Commissioner Abraham seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 18 - PUBLIC HEARING - REPLAT
25/SHOAL CREEK, PHASE V, BLOCK N, LOTS 27R & 29R
APPLICANT: VCH HOLDINGS L.P.**

Ms. Tauro stated this is a request for two Single-Family Residence-9 residential lots on 1.1± acres located on the west side of Woodland Creek Drive, 322± feet south of Spring Creek Parkway. Zoned Single-Family Residence-9. No letters were received for the item. Staff recommended that the Commission accept the applicant's request to withdraw the item.

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 withdraw the item. Commissioner Dunlap seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 19 - PUBLIC HEARING - PRELIMINARY REPLAT & REVISED
SITE PLAN
54/SHEPTON HIGH SCHOOL ADDITION, BLOCK A, LOT 1R
APPLICANT: PLANO INDEPENDENT SCHOOL DISTRICT**

Ms. Day stated this is a request for a public secondary school on one lot on 19.0± acres located on the north side of Plano Parkway, 1,450± feet east of Mira Vista Boulevard. Zoned Single-Family Residence-7. No letters were received for the item. 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 Flick made a motion to approve the item as submitted. Commissioner Briley seconded the motion, which passed 7-0.

Commissioner Dunlap stepped down for Agenda Item No 20.

**AGENDA ITEM NO. 20 - PUBLIC HEARING - REPLAT
19/THE HUNTERS GLEN 5 ADDITION, BLOCK A, LOT 1R
APPLICANT: CVS INDEPENDENCE PLANO, LP**

Ms. Day stated this is a request for a retail building with drive-through lanes on one lot on 2.1± acres located at the northwest corner of Spring Creek Parkway and Custer Road. Zoned Retail. No letters were received for the item. 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 Abraham seconded the motion, which passed 6-0.

END OF PUBLIC HEARINGS

There being no further discussion, First Vice Chair Kalchthaler adjourned the meeting at 9:24 p.m.

Planning & Zoning Commissioner

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