

PLANNING & ZONING COMMISSION
November 5, 2007

COMMISSIONERS PRESENT

Jim Duggan, Chairman
Jim Norton
Maggie Armstrong
Michael Coleman
Craig Perry
Christopher Caso
Jeff Bulla
Beth Weingarden

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Tom Elgin, Development Review Manager
Paige Mims, Assistant City Attorney
Jeff Zimmerman, Long Range Planning Manager
Kate Perry, Sr. Planner
Tina Firgens, Sr. Planner
Steve Sims, Sr. Planner
Bester Tauro, Planner
Eric Hill, Planner
Dee Sarver, Sr. Planning Technician
Doris Carter, Sr. Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Duggan at 7:00 p.m., Monday, November 5, 2007.

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

Commissioner Perry made a motion to approve the minutes of the October 15, 2007, Planning & Zoning Commission meeting. Commissioner Caso seconded the motion, which passed 8-0.

Commissioner Perry made a motion to approve the Consent Agenda as presented. Commissioner Armstrong seconded the motion, which passed 8-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - REVISED CONCEPT PLAN 14/PALOMINO CROSSING ADDITION, BLOCK 1, LOTS 1-12 APPLICANT: SEALY SPRING CREEK PARTNERS L.P.

Retail, restaurant, and office on 12 lots on 55.0± acres located at the southeast corner of Spring Creek Parkway and State Highway 121. Zoned Commercial Employment. Neighborhood #14.

Approved subject to Fire Department approval of a variance to the 150-foot hose-lay requirement.

AGENDA ITEM NO. 5B - CONVEYANCE PLAT 14/PALOMINO CROSSING ADDITION, BLOCK 1, LOTS 1 & 2 APPLICANT: SEALY SPRING CREEK PARTNERS L.P.

Two conveyance lots on 55.0± acres located at the southeast corner of Spring Creek Parkway and State Highway 121. Zoned Commercial Employment. Neighborhood #14.

Approved as submitted.

AGENDA ITEM NO. 5C - REVISED SITE PLAN 8/CAPITAL ONE ADDITION, BLOCK 1, LOTS 2 & 3 APPLICANT: CAPITAL ONE

General office on two lots on 47.6± acres located at the northwest corner of Preston Road and Hedgcoxe Road. Zoned Commercial Employment. Neighborhood #8.

Approved as submitted subject to Fire Department approval of a variance to the 150-foot hose-lay requirement.

AGENDA ITEM NO. 5D - REVISED PRELIMINARY PLAT 8/CAPITAL ONE ADDITION, BLOCK 1, LOTS 2 & 3 APPLICANT: CAPITAL ONE

General office on two lots on 47.6± acres located at the northwest corner of Preston Road and Hedgcoxe Road. Zoned Commercial Employment. Neighborhood #8.

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

**AGENDA ITEM NO. 5E - PRELIMINARY PLAT
26/COMMUNICATIONS PARKWAY SUBSTATION, BLOCK 1, LOT 1
APPLICANT: ONCOR ELECTRIC DELIVERY COMPANY**

Electrical substation on one lot on 3.4± acres located on the east side of Communications Parkway, 900± feet north of Windhaven Parkway. Zoned Regional Employment with Specific Use Permit #586. Neighborhood #26.

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

**AGENDA ITEM NO. 5F - PRELIMINARY PLAT
24/OAK POINT PARK & NATURE PRESERVE, BLOCK B, LOT 1
APPLICANT: CITY OF PLANO**

Park on one lot on 155.6± acres located at the southeast corner of Jupiter Road and Los Rios Boulevard. Zoned Agricultural. Neighborhood #24.

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

**AGENDA ITEM NO. 5G - REVISED SITE PLAN
14/FRITO-LAY NATIONAL HEADQUARTERS, BLOCK 1, LOT 1
APPLICANT: FRITO-LAY, INC.**

General offices on one lot on 218.2± acres located generally at the southeast corner of Headquarters Drive and Spring Creek Parkway. Zoned Commercial Employment. Neighborhood #14.

Approved as submitted.

**AGENDA ITEM NO. 5H - FINAL PLAT
16/STREAM DATA CENTER, BLOCK A, LOT 1
APPLICANT: PINECREST R.T.F. 1 L.P.**

Warehouse on one lot on 20.0± acres located on the west side of Pinecrest Drive, 91± feet north of Spring Creek Parkway. Zoned Commercial Employment. Neighborhood #16.

Approved as submitted.

**AGENDA ITEM NO. 5I - FINAL PLAT
68/TURNPIKE COMMONS, BLOCK 1, LOT 1
APPLICANT: WYNWOOD RESOURCES, LTD.**

Office-showroom/warehouse building on one lot on 3.3± acres located at the northeast corner of Wyngate Boulevard and Wynwood Drive. Zoned Research/Technology Center. Neighborhood #68.

Approved as submitted.

**AGENDA ITEM NO. 5J - REVISED PRELIMINARY SITE PLAN
55/BAYLOR MEDICAL CENTER OF PLANO, BLOCK A, LOT 1R
APPLICANT: BAYLOR HEALTHCARE SYSTEMS**

Hospital and medical office on one lot on 22.5± acres located at the southeast corner of Allied Drive and Alliance Boulevard. Zoned Planned Development-138-Retail/General Office with Specific Use Permit #164. Neighborhood #55.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2007-47
APPLICANT: CITY OF PLANO**

Eric Hill, Planner, stated this is a request to rescind Specific Use Permit #165 for Private Club on one lot on 0.9± acre located on the east side of U.S. Highway 75, 808± feet north of Parker Road. Zoned Corridor Commercial. Neighborhood #37. 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. Commissioner Coleman seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 7 - PUBLIC HEARING
ZONING CASE 2007-48
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request to rescind Specific Use Permit #176 for Private Club on one lot on 0.1± acre located on the west side of U.S. Highway 75, 838± feet north of Parker Road. Zoned Corridor Commercial. Neighborhood #36. 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 Perry made a motion to approve the item as submitted. Commissioner Caso seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 8 - PUBLIC HEARING
ZONING CASE 2007-49
APPLICANT: CITY OF PLANO**

Tina Firgens, Sr. Planner, stated this is a request to rescind Specific Use Permit #178 for Private Club on one lot on 0.1± acre located on the west side of U.S. Highway 75, 1,450± feet south of 15th Street. Zoned Corridor Commercial. Neighborhood #66. 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 Coleman made a motion to approve the item as submitted. Commissioner Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 9 - PUBLIC HEARING
ZONING CASE 2007-50
APPLICANT: CITY OF PLANO**

Ms. Firgens stated this is a request to rescind Specific Use Permit #182 for Private Club on one lot on 2.0± acres located at the northeast corner of U.S. Highway 75 and Plano Parkway. Zoned Corridor Commercial. Neighborhood #67. 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 Perry made a motion to approve the item as submitted. Commissioner Caso seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING
ZONING CASE 2007-51
APPLICANT: CITY OF PLANO**

Tom Elgin, Development Review Manager, stated this is a request to rescind Specific Use Permit #201 for Private Club on one lot on 0.1± acre located on the west side of U.S. Highway 75, 393± feet north of Enterprise Drive. Zoned Corridor Commercial. Neighborhood #47. 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 Weingarden made a motion to approve the item as submitted. Commissioner Caso seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING
ZONING CASE 2007-52
APPLICANT: CITY OF PLANO**

Mr. Elgin stated this is a request to rescind Specific Use Permit #202 for Private Club on one lot on 0.1± acre located at the northwest corner of Parker Road and Silverstone Drive. Zoned Planned Development-90-Retail. Neighborhood #34. 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 Perry made a motion to approve the item as submitted. Commissioner Weingarden seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 12 - PUBLIC HEARING
ZONING CASE 2007-53
APPLICANT: CITY OF PLANO**

Bester Tauro, Planner, stated this is a request to rescind Specific Use Permit #204 for Private Club on one lot on 1.5± acres located on the east side of U.S. Highway 75, 380± feet north of Plano Parkway. Zoned Corridor Commercial. Neighborhood #67. 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 Weingarden made a motion to approve the item as submitted. Commissioner Caso seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 13 - PUBLIC HEARING
ZONING CASE 2007-54
APPLICANT: CITY OF PLANO**

Ms. Tauro stated this is a request to rescind Specific Use Permit #205 for Private Club on one lot on 1.9± acres located on the north side of 15th Street, 168± feet west of U.S. Highway 75. Zoned Planned Development-469-Corridor Commercial. Neighborhood #58. 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 Perry made a motion to approve the item as submitted. Commissioner Coleman seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 14 - PUBLIC HEARING
ZONING CASE 2007-55
APPLICANT: HAGGARD ENTERPRISES LIMITED**

Mr. Hill stated this is a request to amend Planned Development-185-Regional Commercial development standards on 14.8± acres located at the northeast corner of Parker Road and Dallas North Tollway. Zoned Planned Development-185-Regional Commercial. Neighborhood #30. Staff recommended that the Planning & Zoning Commission accept the applicant's request to table this item until the November 19, 2007, 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 Norton made a motion to approve the item as submitted. Commissioner Perry seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 15 - PUBLIC HEARING - REPLAT
68/ALL STAR SKATE ADDITION, BLOCK A, LOT 1R
APPLICANT: BRANOM PROPERTIES**

Ms. Tauro stated this is a commercial amusement (indoor) on one lot on 3.1± acres located on the south side of 14th Street, 400± feet east of Jupiter Road. Zoned Retail with Specific Use Permit #482. Neighborhood #68. 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 Perry made a motion to approve the item as submitted. Commissioner Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 16 - PUBLIC HEARING - REPLAT
68/E.I.G. II ADDITION, BLOCK 1, LOT 2R
APPLICANT: OCS FAMILY LIMITED PARTNERSHIP**

Ms. Tauro stated this is an office and warehouse building on one lot on 2.0± acres located south of 10th Street, 208± feet west of N Avenue. Zoned Light Industrial-1. Neighborhood #68. 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. Commissioner Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 17 - PUBLIC HEARING - REPLAT
68/GRAINGER ADDITION, BLOCK 1, LOT 1R
APPLICANT: W. W. GRAINGER, INC.**

Ms. Tauro stated this is a warehouse/distribution center on one lot on 2.5± acres located on the north side of Plano Parkway, 415± feet east of Jupiter Road. Zoned Light Industrial-1. Neighborhood #68. 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 Perry made a motion to approve the item as submitted. Commissioner Weingarden seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 18 - PUBLIC HEARING - PRELIMINARY REPLAT
36/UNITED NATIONAL BANK ADDITION, BLOCK 1, LOTS 1R & 2R
APPLICANT: COMERICA BANK AND CVS CAREMARK CORPORATION**

Ms. Tauro stated this is a retail building and bank on two lots on 3.2± acres located at the northeast corner of Parker Road and Premier Drive. Zoned Corridor Commercial. Neighborhood #36. Staff recommended approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

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

There being no discussion, Commissioner Weingarden made a motion to approve the item as submitted. Commissioner Perry seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 19 - PUBLIC HEARING - REVISED PRELIMINARY REPLAT &
REVISED SITE PLAN
65/UNITED CITY CENTER ADDITION, BLOCK 1, LOT 3R
APPLICANT: AGNICH INDEPENDENCE, LP**

Mr. Hill stated this is a retail building on one lot on 0.7± acre located at the southeast corner of 15th Street and Independence Parkway. Zoned Planned Development-125-Retail/General Office. Neighborhood #65. Staff recommended:

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

Revised Site Plan: Approval as submitted.

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

There being no further discussion, Commissioner Caso made a motion to approve the item as submitted. Commissioner Perry seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 20 - PUBLIC HEARING - REPLAT
8/THE SHOPS AT LEGACY TOWN CENTER (NORTH), BLOCK C, LOTS 1R & 5
APPLICANT: THE KARAHAN COMPANIES**

Ms. Firgens stated this is a retail, restaurant, office, and multifamily residential on two lots on 13.0± acres located at the northeast corner of Dallas Parkway and Legacy Drive. Zoned Planned Development-65-Central Business-1. Neighborhood #8. 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 Coleman made a motion to approve the item as submitted. Commissioner Armstrong seconded the motion, which passed 8-0.

END OF PUBLIC HEARINGS

**AGENDA ITEM NO. 21 - DISCUSSION AND DIRECTION
COMPREHENSIVE PLAN UPDATE**

Steve Sims, Sr. Planner, provided a presentation for the commission regarding the first draft text of the Land Use and Transportation Elements for the Comprehensive Plan. Mr. Sims stated the importance of the two elements in guiding development in Plano and how they form the basis for the remaining eight elements of the Comprehensive Plan. He summarized the changes from the 2004 update and proposed map amendments.

The commissioners asked if the Land Use Plan map should show residential development at Spring Creek Parkway and Midway Road. Mr. Sims responded that not all zoning changes needed to be reflected on the Land Use Plan. He noted that showing a small “strip” of residential use might indicate the desire to make further changes to the Legacy area. Instead, it should be identified as a primary location for economic development.

The commissioners indicated general agreement with the first draft text and map amendments, and directed staff to move forward with a public hearing for a formal recommendation on the updates.

**AGENDA ITEM NO. 22 - DISCUSSION
DISCONTINUATION OF IMPACT FEE PROGRAM**

Jeff Zimmerman, Long Range Planning Manager, updated the commission regarding the discontinuation of the Impact Fee Program with a presentation. Mr. Zimmerman’s presentation included:

- State legislation enacting Impact Fees
- History of the program in Plano
- Summary of revenues generated from Impact Fees
- Reasons for discontinuation of the program
- Pros/cons of discontinuation of the program

At the conclusion of the presentation, Mr. Zimmerman asked the commission if they had any questions or comments. The commissioners had the following questions:

- What happens to the money currently in the fund?
- How much money would the fund generate if the program were retained?
- Will subdivisions currently under construction pay Impact Fees for remaining lots after the program has been discontinued?
- What action will be used to terminate the program?
- How will the city return excess funds at the end of the program?
- Has any city in Texas terminated their Impact Fee Program?

Mr. Zimmerman stated that the money currently in the fund could be used for debt retirement. He said though it is difficult to estimate, the program could possibly raise \$4 million over the next five years. However, \$800,000 of possible annual revenues is minimal when compared with the city's overall budget. Mr. Zimmerman said that an ordinance would be drafted providing details on the termination of the Impact Fee Program. Plano may possibly be the first city in the state to terminate its program. He stated that the primary reason for terminating Impact Fees is to improve Plano's incentives when competing with other cities for future development projects.

The Planning & Zoning Commission, acting as the Impact Fee Advisory Committee, recommended that the Impact Fee program be discontinued.

**AGENDA ITEM NO. 23 - DISCUSSION AND DIRECTION
SELECTION OF 2008 WORK SESSION MEETING DATES
APPLICANT: CITY OF PLANO**

Mr. Elgin stated this is a discussion and request for direction on the selection of Planning & Zoning Commission work session dates and times for 2008.

After discussion, the commission proposed meeting for work session, and gave staff specific dates for potential work sessions.

AGENDA ITEM NO. 24 - ITEMS FOR FUTURE DISCUSSION

There being no further discussion, Chairman Duggan adjourned the meeting at 8:05 p.m.

Planning & Zoning Commissioner

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