

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

COMMISSIONERS PRESENT

Carolyn Kalchthaler, Chairman
Joyce Beach, 1st Vice Chair
Dennis Abraham, 2nd Vice Chair
Joy Flick
Lisette Briley
Jim Norton
Maggie Armstrong
James Duggan

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
Dee Sarver, Planning Technician
Priscilla Parra, Sr. Administrative Assistant
Dana Molnar, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Kalchthaler at 7:00 p.m., Monday, December 19, 2005.

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

Commissioner Flick made a motion to approve the December 5, 2005, meeting minutes. First Vice Chair Beach seconded the motion, which passed 8-0.

Commissioner Briley made a motion to approve the consent agenda. Second Vice Chair Abraham seconded the motion, which passed 8-0.

CONSENT AGENDA

**AGENDA ITEM NO. 5A - FINAL PLAT
62/544 PARTNERS ADDITION, BLOCK A, LOT 1
APPLICANT: THE MISSION OF THE SACRED HEARTS OF JESUS**

A church on one lot on 4.0± acres located on the north side of 14th Street, 500± feet east of Los Rios Boulevard. Zoned Planned Development-29-Light Industrial-1.

Approved as submitted.

**AGENDA ITEM NO. 5B - CONVEYANCE PLAT
14/FRITO-LAY NATIONAL HEADQUARTERS WEST, BLOCK 1, LOTS 1-5
APPLICANT: FRITO-LAY, INC.**

Five conveyance lots on 50.4± acres located at the southeast corner of Headquarters Drive and Spring Creek Parkway. Zoned Commercial Employment.

Approved as submitted.

**AGENDA ITEM NO. 5C - PRELIMINARY PLAT
72/COIT CENTER, BLOCK B, LOT 6R
APPLICANT: COIT 190 TEXAS, L.P.**

A hotel on one lot on 2.6± acres located on the west side of Silverglen Drive, 450± feet north of State Highway 190. Zoned Corridor Commercial and Light Industrial-1.

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

**AGENDA ITEM NO. 5D - PRELIMINARY PLAT
9/DEERFIELD NORTH, PHASE IV
APPLICANT: LEGACY/MONTEREY HOMES. L.P.**

60 Single-Family Residence-7 lots and one open space lot on 16.3± acres located on the west side of Grace Avenue, 315± feet north of Quincy Lane. 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.

END OF CONSENT AGENDA

PUBLIC HEARINGS

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2005-30
APPLICANT: BERKELEY CENTER, GP, LLC**

Christina Day, Sr. Planner, stated this is a request to rezone 3.7± acres located on 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. Tabled 09/06/05, 10/03/05, and 11/07/05. Staff recommended that the Planning & Zoning Commission accept the applicant's request to withdraw.

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

There being no discussion, Commissioner Flick made a motion to withdraw the item. Commissioner Duggan seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 7 - PUBLIC HEARING
ZONING CASE 2005-48
APPLICANT: LINDELL DENHAM**

Bester Tauro, Planner, stated this is a request to grant a new Specific Use Permit for Dance Hall and to rescind the existing Specific Use Permit #29 for Private Club on 0.1± acre located 657± feet west of U.S. Highway 75 and 744± feet east of Premier Drive. Zoned Corridor Commercial with Specific Use Permit #29 for Private Club. Staff recommended approval as submitted.

The public hearing was opened. Lindy Denham, 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, 1st Vice Chair Beach made a motion to approve the item. Second Vice Chair Abraham seconded the motion, which passed 5-3. Commissioners Flick, Briley, and Norton, voting in opposition, stated concerns about the use as a permanent change, since other users might not be appropriate in this location.

**AGENDA ITEM NO. 8 - PUBLIC HEARING
ZONING CASE 2005-49
APPLICANT: CITY OF PLANO**

Ms. Day stated this is a request to rescind Specific Use Permit #230 for Indoor Commercial Amusement on one lot on 13.0± acres located at the northwest corner of 15th Street and Coit Road. Zoned Planned Development-130-General Office with Specific Use Permit #230 for Indoor Commercial Amusement. 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 Duggan seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 9 - PUBLIC HEARING - REPLAT AND REVISED SITE PLAN
45/DAVIS ELEMENTARY SCHOOL, BLOCK A, LOT 1R
APPLICANT: PLANO INDEPENDENT SCHOOL DISTRICT**

Ms. Day stated this is a request for a public primary school on one lot on 5.4± acres located at the northeast corner of Parkhaven Drive and Pinehurst Drive. Zoned Single-Family Residence-9. Two letters were 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.

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

**AGENDA ITEM NO. 10 - PUBLIC HEARING - PRELIMINARY REPLAT AND
REVISED SITE PLAN
48/PARKER CROSSING SHOPPING CENTER NO. 1, BLOCK A, LOT 1R
APPLICANT: PLANO DEVELOPMENT ASSOCIATES, LTD.**

Ms. Day stated this is a request for retail and restaurants on one lot on 7.0± acres located at the southeast corner of Parker Road and K Avenue. Zoned Retail. No letters were received for the item. Staff recommended approval as follows:

Preliminary Replat: Recommended for approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

Revised Site Plan: Recommended for 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, 1st Vice Chair Beach made a motion to approve the item subject to staff recommendations. Second Vice Chair Abraham seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING - REPLAT
67/P.R. GARRETT ADDITION, BLOCK 8, LOT 3R
APPLICANT: CHICAGO LEGACY GROUP**

Ms. Tauro stated this is a request for a General Residential lot on 0.2± acre located on the west side of F Avenue, 102± feet south of 13th Street. Zoned General Residential. Two letters were 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 a brief discussion, Commissioner Flick made a motion to approve the item as submitted. Commissioner Briley seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 12 - PUBLIC HEARING - PRELIMINARY REPLAT
17/ROBINSON ADDITION, BLOCK 1, LOTS 4R & 6
APPLICANT: DMC MAZEL, LTD.**

Ms. Tauro stated this is a request for a medical and general office development on two lots on 4.2± acres located at the southwest corner of Legacy Drive and Preston Meadow Drive. Zoned Neighborhood Office. 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.

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

**AGENDA ITEM NO. 13 - PUBLIC HEARING - PRELIMINARY REPLAT
6/INDEPENDENCE CROSSING, BLOCK A, LOTS 1R, 2R, 3R, & 4
APPLICANTS: WAL-MART REAL ESTATE BUSINESS TRUST AND WAL-MART
STORES EAST, INC.**

Ms. Day stated this is a request for a retail and grocery store on one lot and three vacant lots on 15.3± acres located at the northeast corner of Independence Parkway and Hedgcoxe Road. Zoned Retail with Specific Use Permit #368 for Day Care Center. No letters were received for the item. Staff recommended approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

The public hearing was opened. Matt Moore, representing 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 Norton made a motion to approve the item subject to staff recommendations. Commissioner Duggan seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 14 - PUBLIC HEARING - REPLAT
59/JOE FOREMAN ADDITION, BLOCK A, LOTS 2R & 7R
APPLICANT: PLANO HOUSING AUTHORITY**

Tom Elgin, Development Review Manager, stated this is a request for a general office development on two lots on 1.5± acres located at the southeast corner of G Avenue and 18th Street. Zoned Retail with Heritage Resource Designation-20. 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.

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

END OF PUBLIC HEARINGS

**AGENDA ITEM NO. 15 - REVISED SITE PLAN
67/MALABY ADDITION, BLOCK 1, LOTS 1-4 & OUTLOT 1, & BLOCK 2, LOTS 5-
10B
APPLICANT: PLANO MARINE**

Mr. Elgin stated this is a request for recreation vehicle sales and service on 14 lots on 3.7± acres located on the west side of K Avenue, north of 10th Street. Zoned Light Commercial with Specific Use Permit #515 for Recreation Vehicle Sales and Service. Staff recommended approval subject to the Board of Adjustment granting variances to:

1. The maximum 40-inch height for improvements within the front yard setbacks along K Avenue and 10th Street to permit construction of the six-foot tall fence and irrigated living screen.
2. The requirement that open storage not be located within front yard setbacks to permit open storage in the area between the setback lines and the new fence and irrigated living screen along K Avenue and 10th Street.
3. The requirement that open storage be placed on an asphalt or concrete surface to permit open storage to be placed on a gravel surface in the area between the setback lines and the new fence and irrigated living screen along K Avenue and 10th Street.

Commissioner Flick made a motion to remove the item from the table. First Vice Chair Beach seconded the motion, which passed 8-0.

Greg Ray, the applicant, spoke in support of the item. No one else spoke for or against the item.

After some discussion, 2nd Vice Chair Abraham made a motion to approve the item, subject to staff recommendations. First Vice Chair Beach seconded the motion, which failed 3-5. Chairman Kalchthaler, Commissioners Flick, Norton, Briley, and Armstrong, voting in opposition, expressed concerns that the proposed screening was insufficient, the request was inconsistent with the efforts to “clean up” K Avenue, and the second consideration of the site plan did not have changes or compromises since the initial consideration.

There being no further discussion, Chairman Kalchthaler adjourned the meeting at 7:45 p.m.

Planning & Zoning Commissioner

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