

PLANNING & ZONING COMMISSION
April 5, 2010

COMMISSIONERS PRESENT

James Duggan, Chairman
Craig Perry, 1st Vice Chair
David Downs
Christopher Caso, 2nd Vice Chair
Michael Coleman
Jim Norton
Tracey Dry
Doug Hazelbaker

STAFF PRESENT

Phyllis Jarrell, Director of Planning
Tina Firgens, Planning Manager
Kate Perry, Sr. Planner
Eric Hill, Planner
Bester Munyaradzi, Planner
Diane Wetherbee, City Attorney
Paige Mims, Assistant City Attorney
Dee Sarver, Sr. Planning Technician
Donna White, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Duggan at 7:00 p.m., Monday, April 5, 2010.

Commissioner Downs made a motion to approve the agenda as presented. Second Vice Chair Caso seconded the motion, which passed 8-0.

Second Vice Chair Caso made a motion to approve the minutes of the February 15, 2010, Planning & Zoning Commission meeting. Commissioner Coleman seconded the motion, which passed 8-0.

First Vice Chair Perry made a motion to approve the consent agenda as presented. Second Vice Chair Caso seconded the motion, which passed 8-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - PRELIMINARY PLAT 13/THE PLAZA AT CHASE OAKS, BLOCK A, LOT 2 APPLICANT: UNIFIED HOUSING OF CHASE OAKS, LLC

Independent living facility on one lot on 14.1± acres located on the south side of Chase Oaks Boulevard, 1,500± feet west of U.S. Highway 75. Zoned Planned Development-277-Retail/General Office and Corridor Commercial. Neighborhood #13.

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

AGENDA ITEM NO. 5B - REVISED SITE PLAN 40/THE SHOPS AT WILLOW BEND, BLOCK 1, LOT 6R APPLICANT: TAUBMAN REALTY GROUP

Regional mall on 61.6± acres located at the northwest corner of Dallas North Tollway and Park Boulevard. Zoned Regional Commercial/Dallas North Tollway Overlay District with Specific Use Permits #434, #444, #448, and #570 for Private Club and Auto Leasing/Renting. Neighborhood #40.

Approved as submitted.

AGENDA ITEM NO. 5C - REVISED SITE PLAN 68/SHILOH/544 ADDITION, BLOCK A, LOT 2 APPLICANT: NOORI MASJID

Religious facility on one lot on 1.0± acre located on the west side of Shiloh Road, 300± feet south of 14th Street. Zoned Light Commercial. Neighborhood #68.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

AGENDA ITEM NO. 6 - PUBLIC HEARING ZONING CASE 2010-01 APPLICANT: CITY OF PLANO

Bester Munyaradzi, Planner, stated this is a request to amend Subsection 2.818 (R - Retail) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and Subsection 3.1001 (Screening Walls or Visual Barriers) of Section 3.1000 (Screening, Fence, and Wall Regulations) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding screening requirements for single-family and two-family residential uses within the Retail and General Residential zoning

districts. Staff recommended approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

1. Amend Subsection 3.1001 (Screening Walls or Visual Barriers) of Section 3.1000 (Screening, Fence, and Wall Regulations) of Article 3 (Supplementary Regulations) to read as follows:

3.1001 Screening Walls or Visual Barriers

- (1) In the event that an MF-1, MF-2, MF-3, BG, O-1, O-2, CE, CB-1, R, LC, RC, RE, CC, RT, LI-1, or LI-2 district sides or backs upon an ED, SF-20, SF-9, SF-7, SF-6, SF-A, PH, 2F, GR or UR district except as noted in (2) below, or in the event that any nonresidential district sides or backs to an MF-1, MF-2, or MF-3 district, a solid screening wall or fence of not less than six nor more than eight feet in height shall be erected along the entire property line separating these districts, except where visibility triangles or easements are required. (See Subsections 3.503 and 3.508.) The purpose of the screening wall or fence is to provide a visual barrier between the properties. The owner of such property shall be responsible for and shall build the required wall or fence along the entire property line dividing his property from the residential district. In cases where the Planning & Zoning Commission finds this requirement to be impractical for immediate construction, it may grant a temporary or permanent waiver of the required screening wall or fence until such time as the screening wall or fence may be deemed necessary by the City Council. In cases where the Planning & Zoning Commission finds this requirement to be better met by an irrigated living screen, the same may be substituted for the screening wall.
- (2) No solid screening wall or fence shall be required as stated in Subsection 3.1001 (1) above when single-family or two-family residential uses are developed within the Retail zoning district.
- ~~(23)~~ Any screening wall or fence required under the provisions of this section, a specific use permit, planned development district, or other requirement shall be constructed of masonry or reinforced concrete which does not contain openings more than 40 square inches in each one square foot of wall or fence surface, and the surface of such wall or fence shall constitute a visual barrier. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence. The use of prefabricated, patterned concrete panels is prohibited.
- ~~(34)~~ No fence, screen, wall, or other visual barrier shall be so located or placed that it obstructs the vision of a motor vehicle driver approaching any street or drive intersection, in accordance with Subsection 3.508.
- ~~(45)~~ Where an alley intersects with a street, no fence or plant taller than 30 inches may be placed within a sight visibility triangle defined by measuring eight feet

to a point along the property lines and joining said points to form the hypotenuse of the triangle.

(56) All required screening walls shall be equally finished on both sides of the wall.

2. Amend Subsection 2.818 (R - Retail) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) to read as follows:

5. Landscaping (See Section 3.1200; residential uses as allowed in the Retail district shall comply with Section 3.1200 (2)(b).)

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

After a brief discussion, 1st Vice Chair Perry made a motion to approve the item as submitted. Commissioner Hazelbaker seconded the motion, which passed 8-0.

AGENDA ITEM NO. 7 - PUBLIC HEARING
32/REPLAT: PARKER COIT ADDITION, BLOCK 1, LOTS 1R & 2R
APPLICANT: CITY OF PLANO

Eric Hill, Planner, stated this is a request for fire station/public safety buildings and retail buildings on two lots on 6.5± acres located on the north side of Parker Road, 500± feet west of Coit Road. Zoned Planned Development-31-Retail with Specific Use Permit #400 for Day Care Center. Neighborhood #32. 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 Downs made a motion to approve the item as submitted. Commissioner Coleman seconded the motion, which passed 8-0.

AGENDA ITEM NO. 8 - PUBLIC HEARING
52/PRELIMINARY REPLAT AND REVISED SITE PLAN: KEMP HOMESTEAD NO. 2,
BLOCK A, LOTS 1R & 2R
APPLICANT: HD DEVELOPMENT PROPERTIES

Mr. Hill stated this is a request for a restaurant, medical office, superstore, and garden center on two lots on 11.4± acres located on the south side of Park Boulevard, 720± feet west of Dallas North Tollway. Zoned Regional Commercial/Dallas North Tollway Overlay District with Specific Use Permit #427 for Building Material Sales. Neighborhood #52. Staff recommended 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. Kurt Overmyer, representing the applicant, was available to answer any questions. 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. Second Vice Chair Caso seconded the motion, which passed 8-0.

END OF PUBLIC HEARINGS

AGENDA NO. 9 - APPEAL OF THE DIRECTOR OF PLANNING'S INTERPRETATION OF THE ZONING ORDINANCE APPLICANT: ROBERT P. BUSS

Phyllis Jarrell, Director of Planning, stated this is a request for an appeal of the Director of Planning's interpretation of the Zoning Ordinance definitions and associated regulations for fences as they apply to golf course netting.

Robert Buss, applicant, and Weldon Montgomery, citizen of Plano, spoke against Ms. Jarrell's definition regarding a fence.

After much discussion, Commissioner Downs made a motion to uphold Ms. Jarrell's interpretation of the Zoning Ordinance regarding regulations for fences as they apply to golf course netting. Second Vice Chair Caso seconded the motion, which passed 8-0.

AGENDA ITEM NO. 10 - PRESENTATION HUMAN AND VEHICLE SIGNAGE APPLICANT: CITY OF PLANO

Diane Wetherbee, City Attorney, stated this is a request for a presentation regarding human and vehicle signage.

Ms. Wetherbee gave a slide presentation and answered any questions the Commission had.

No action was required. No action was taken.

**AGENDA NO. 11 - DISCUSSION & DIRECTION
CHURCH AND RECTORY USES
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request for a discussion and direction regarding church and rectory uses. Staff recommended that the Planning & Zoning Commission provide direction on potential Zoning Ordinance amendments regarding church and rectory uses, and call a public hearing to consider a zoning case.

After a brief discussion, Commissioner Downs made a motion to call a public hearing. Second Vice Chair Caso seconded the motion, which passed 8-0.

AGENDA ITEM NO. 12 - ITEMS FOR FUTURE DISCUSSION

The Commission had no items they wished to discuss.

There being no further discussion, Chairman Duggan adjourned the meeting at 8:55 p.m.

Planning & Zoning Commissioner

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