

PLANNING & ZONING COMMISSION
April 21, 2008

COMMISSIONERS PRESENT

James Duggan, Chairman
Jim Norton, 1st Vice Chair
Maggie Armstrong, 2nd Vice Chair
Beth Weingarden
Jeff Bulla
Christopher Caso
Michael Coleman
Craig Perry

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Tom Elgin, Development Review Manager
Tina Firgens, Sr. Planner
Eric Hill, Planner
Bester Tauro, Planner
Paige Mims, Assistant City Attorney
Priscilla Parra, 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 21, 2008.

Commissioner Weingarden made a motion to approve the agenda as presented. First Vice Chair Norton seconded the motion, which passed 8-0.

Commissioner Bulla made a motion to approve the minutes of the April 7, 2008, Planning & Zoning Commission meeting as submitted. Commissioner Perry seconded the motion, which passed 8-0.

Second Vice Chair Armstrong made a motion to approve the minutes of the April 8, 2008, Planning & Zoning Commission Work Session meeting. Commissioner Caso seconded the motion, which passed 8-0.

Commissioner Weingarden made a motion to approve the consent agenda as submitted. Commissioner Bulla seconded the motion, which passed 8-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - REVISED CONVEYANCE PLAT 21/BAR P ADDITION, BLOCK 1, LOTS 1 & 3 APPLICANT: BAR P JOINT VENTURE

Two conveyance lots on 5.1± acres located on the west side of Chase Oaks Boulevard, 830± feet north of Spring Creek Parkway. Zoned General Office. Neighborhood #21.

Approval as submitted.

AGENDA ITEM NO. 5B - PRELIMINARY PLAT 21/BAR P ADDITION, BLOCK 1, LOT 1 APPLICANT: BAR P JOINT VENTURE

General office building on one lot on 2.0± acres located on the west side of Chase Oaks Boulevard, 830± feet north of Spring Creek Parkway. Zoned General Office. Neighborhood #21.

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

AGENDA ITEM NO. 5C - FINAL PLAT 18/INDEPENDENCE HALL ADDITION, BLOCK A, LOT 1 APPLICANT: COLLIN INTERVENTION TO YOUTH, INC.

Rehabilitation care facility on one lot on 1.7± acres located on the west side of Independence Parkway, 130± feet south of Crickett Drive. Zoned Neighborhood Office with Specific Use Permit #559 for Household Care Institution. Neighborhood #18.

Approved as submitted.

AGENDA ITEM NO. 5D - PRELIMINARY SITE PLAN 68/CENTRAL PLANO INDUSTRIAL PARK, PHASE III, BLOCK 10, LOT 4 APPLICANT: KRYPTON SOLUTIONS, LLC

Manufacturing-light intensity on one lot on 4.1± acres located on the south side of Summit Avenue, 830± feet west of Klein Road. Zoned Retail. Neighborhood #68.

Approved as submitted.

**AGENDA ITEM NO. 5E - CONVEYANCE PLAT
68/CENTRAL PLANO INDUSTRIAL PARK, PHASE III, BLOCK 7, LOT 1 &
BLOCK 10, LOT 4
APPLICANT: KRYPTON SOLUTIONS, LLC**

Two conveyance lots on 10.9± acres located on the south side of Summit Avenue, 830± feet west of Klein Road. Zoned Retail. Neighborhood #68.

Approved as submitted.

**AGENDA ITEM NO. 5F - FINAL PLAT
65/FRANKLIN PARK AT CANYON CREEK, BLOCK 1, LOT 1
APPLICANT: FRANKLIN PARK AT CANYON CREEK, LTD.**

Independent living facility on one lot on 14.5± acres located on the east side of Independence Parkway, 632± feet north of State Highway 190. Zoned Planned Development-382-Retail/General Office. Neighborhood #65.

Approved as submitted.

**AGENDA ITEM NO. 5G - PRELIMINARY PLAT
16/PARKWOOD PLACE I IN LEGACY, BLOCK A, LOT 2
APPLICANT: PRIMERA COMPANIES, INC.**

General office building on one lot on 6.7± acres located at the southeast corner of Tennyson Parkway and Parkwood Boulevard. Zoned Commercial Employment. Neighborhood #16.

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

**AGENDA ITEM NO. 5H - FINAL PLAT
VILLAGE AT STONEBRIAR, BLOCK A, LOT 1R
APPLICANT: VILLAGE AT STONEBRIAR, LLC**

Retail and restaurant on one lot on 7.3± acres located at the southeast corner of Parkwood Boulevard and State Highway 121. Zoned Commercial Employment. Neighborhood #8.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

Agenda Items 6A and 6B were presented together for discussion.

**AGENDA ITEM NO. 6A - PUBLIC HEARING
ZONING CASE 2008-27
APPLICANT: SCARBOROUGH PARKWAY II, L.P.**

Eric Hill, Planner, stated this is a request to rezone 40.2± acres located at the northeast corner of the Dallas North Tollway and Plano Parkway from Regional Employment to Planned Development-Regional Employment. Zoned Regional Employment. Staff recommended denial. There were 19 letters received in opposition and 1 in support of the item. Mr. Hill stated Agenda Items No. 6A and 6B would be discussed together. Mr. Hill stated the item had been tabled at the April 7, 2008, Planning & Zoning Commission meeting and needed to be removed from the table.

Second Vice Chair Armstrong made a motion to remove the item from the table. Commissioner Caso seconded the motion, which passed 8-0.

The public hearing was opened. Kirk Williams, representing the applicant, spoke in support of the item and was available to answer any questions.

Padraig O'Suilleabhain, representing Stone Lake Estates HOA, spoke in opposition of the item. Mr. O'Suilleabhain stated he had concerns regarding the impact the change would have on the residents and the character of the neighborhood. Mr. O'Suilleabhain stated that the office use was better than retail and restaurant use.

Mr. Schaller, representing Stone Lake Estates HOA, spoke in opposition of the item. Mr. Schaller stated concerns regarding potential decreased property values and the potential for future retail vacancies. Mr. Schaller stated the Tri-City Retail Study states there is already an over abundance of retail in the city.

Karen Dubrow, representing Stone Lake Estates HOA, spoke in opposition of the item. Ms. Dubrow stated concerns regarding the proposed zoning being approved and remaining if this potential proposed development plan goes away. Ms. Dubrow also had concerns regarding the impact of the ramp redesigns for the Dallas North Tollway, and the effect change would have on the property 10 years later and if the perspective retail would look like the Preston/Park area today with it's vacant retail.

Toni Hutchins, President of Glen Heather HOA, spoke in opposition of the item. Ms. Hutchins stated that she represents the majority of the homeowners and board of directors. Ms. Hutchins stated that neither HOAs received notices. She also stated that they were concerned regarding the lack of definitive plans for the property. Additional concerns included there were no current tenants established and that the property owners could sell the property once the zoning was approved.

Greg Gilbert, resident of the City of Plano, spoke in opposition of the item. Mr. Gilbert stated he preferred the existing zoning.

Ed Griffin, Glen Heather HOA Board of Directors member, spoke neither in opposition nor in support of the item and stated that their board of directors were mixed regarding the proposal. Mr. Griffin wanted to know what is the worst case scenario and wasn't sure about the effect the proposed zoning would have.

Mr. Williams spoke again to reiterate his stance on the item.

Ms. Hutchins spoke again for five citizens that dedicated their time to her. Ms. Hutchins reiterated all of their concerns. The public hearing was closed.

After much discussion, 1st Vice Chair Norton made a motion to approve Agenda Item 6A as submitted. Commissioner Perry seconded the motion, which failed 3-5. Commissioner Bulla then made a motion to deny the proposed zoning request. Commissioner Caso seconded the motion, which passed 5-3. The zoning request was denied.

The Commissioners, voting in opposition to the zoning, expressed concerns regarding the uncertainty of the design, the phasing of the retail development relative to the office development, and the additional uses allowed in the Retail zoning district as compared to the Regional Commercial zoning district.

**AGENDA ITEM NO. 6B - PUBLIC HEARING
53/CONCEPT PLAN: CIGNA POINT ADDITION, BLOCK A, LOT 2
APPLICANT: SCARBOROUGH PARKWAY II, L.P.**

Mr. Hill stated this is a request for a retail, office, and multifamily mixed-use development on one lot on 28.7± acres located at the northeast corner of the Dallas North Tollway and Plano Parkway. Zoned Regional Employment. Neighborhood #53. Staff recommended denial.

Commissioner Bulla made a motion to deny the item as submitted. Commissioner Caso seconded the motion, which passed 5-3. The concept plan was denied.

The Commissioners opposed the concept plan since they opposed Zoning Case 2008-27.

**AGENDA ITEM NO. 7 - PUBLIC HEARING
ZONING CASE 2008-43
APPLICANT: DIANE NELSON REVOCABLE LIVING TRUST**

Tina Firgens, Sr. Planner, stated this is a request to rezone 2.2± acres located on the south side of 14th Street, 1,030± feet east of Los Rios Boulevard from Research/Technology Center to Light Industrial-1. Staff recommended denial. There were no letters received in opposition and one in support of the item. The public hearing was opened. Darlene Nelson, representing the applicant, spoke in support of the item. Ms. Nelson was available to answer any questions.

Reid Donaldson, representing Allied Waste, spoke in support of the item. Mr. Donaldson stated Allied Waste would landscape and fence in the front of the property and maintain the other fencing already existing. The public hearing was closed.

After much discussion, 1st Vice Chair Norton made a motion to approve the item. Commissioner Weingarden seconded the motion, which passed 6-2.

The Commissioners voting in opposition expressed concerns regarding:

- 1) Uses permitted in the Light Industrial-1 district;
- 2) Lack of screening between the subject property and existing adjacent residential development; and
- 3) Gravel surface permitted for open storage.

Chairman Duggan stepped down due to conflict of interest on the following agenda item.

AGENDA ITEM NO. 8 - PUBLIC HEARING

ZONING CASE 2008-44

APPLICANT: HW SPRING CREEK PARTNERS, L.P. & ZCB SPRING CREEK, L.P.

Mr. Hill stated this is a request for a Specific Use Permit for Private Street Subdivision on 69.2± acres located generally at the northwest corner of Spring Creek Parkway and Tennyson Parkway. Zoned Single-Family Residence-9, Patio Home & Single-Family Residence Attached. There were no letters received in opposition and 1 in support of the item. Staff recommended approval subject to:

1. Engineering and Fire Department approval of the design and access control for the gated entryways.
2. Submission, City Attorney approval, and filing of the property owner association documents providing maintenance for private streets and other private improvements prior to final plat approval for any phase of this development.

The public hearing was opened. Curt Welwood, applicant, was available to answer any questions.

Cheryl Williams, representing the applicant, was available to answer any questions.

Steve McCraw, resident of the City of Plano, spoke in support of the item.

After a brief discussion, Commissioner Perry made a motion to approve the item subject to:

1. Engineering and Fire Department approval of the design and access control for the gated entryways.

2. Submission, City Attorney approval, and filing of the property owner association documents providing maintenance for private streets and other private improvements prior to final plat approval for any phase of this development.

Commissioner Coleman seconded the motion, which passed 7-0.

Chairman Duggan resumed his seat.

**AGENDA ITEM NO. 9A - PUBLIC HEARING
ZONING CASE 2008-37
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request to rescind Specific Use Permit #487 for Private Club on 0.1± acre located at the southwest corner of Bishop Road and Kincaid Road. Zoned Planned Development-65-Central Business-1. Staff recommended approval as submitted. There were no letters received in support of or opposition to 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 Caso made a motion to approve the item as submitted. Second Vice Chair Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 9B - PUBLIC HEARING
ZONING CASE 2008-38
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request to rescind Specific Use Permit #489 for Private Club on 0.1± acre located 80± feet south of Legacy Drive, 370± feet east of Dallas North Tollway. Planned Development-65-Central Business-1. Staff recommended approval as submitted. There were no letters received in support of or opposition to 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 Caso made a motion to approve the item as submitted. Second Vice Chair Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 9C - PUBLIC HEARING
ZONING CASE 2008-39
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request to rescind Specific Use Permit #490 for Private Club on 0.1± acre located on the east side of K Avenue, 75± feet south of 15th Street. Zoned Downtown Business/Government/Downtown Heritage Resource District. Staff recommended approval as submitted. There were no letters received in support of or opposition to 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 Caso made a motion to approve the item as submitted. Second Vice Chair Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 9D - PUBLIC HEARING
ZONING CASE 2008-40
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request to rescind Specific Use Permit #491 for Private Club on one lot on 0.1± acre located on the east side of Bishop Road, 340± feet south of Legacy Drive. Zoned Planned Development-65-Central Business-1. Staff recommended approval as submitted. There were no letters received in support of or opposition to 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 Caso made a motion to approve the item as submitted. Second Vice Chair Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 9E - PUBLIC HEARING
ZONING CASE 2008-41
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request to rescind Specific Use Permit #492 for Private Club on one lot on 0.1± acre located 80± feet south of Legacy Drive, 250± feet west of Parkwood Boulevard. Zoned Planned Development-65-Central Business-1. Staff recommended approval as submitted. There were no letters received in support of or opposition to 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 Caso made a motion to approve the item as submitted. Second Vice Chair Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 9F - PUBLIC HEARING
ZONING CASE 2008-42
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request to rescind Specific Use Permit #504 for Private Club on one lot on 222.1± acres located on the north side of 14th Street, 800± feet east of Star Court. Zoned Agricultural. Staff recommended approval as submitted. There were no letters received in support of or opposition to 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 Caso made a motion to approve the item as submitted. Second Vice Chair Armstrong seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING
13/PRELIMINARY REPLAT: LEGACY CENTRAL THEATER ADDITION, BLOCK A,
LOTS 2R & 8
APPLICANT: AMERICAN REALTY TRUST, INC.**

Ms. Firgens stated this is a request for general and medical office buildings on two lots on 6.1± acres located on the west side of U.S. Highway 75, 580± feet north of Legacy Drive. Zoned Corridor Commercial. Neighborhood #13. Staff recommended approval subject to:

- 1) Additions and/or alterations to the engineering plans as required by the Engineering Department; and
- 2) Acquisition and dedication of off site fire lane, access, and utility easements.

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

There being no discussion, Commissioner Bulla made a motion to approve the item subject to:

- 1) Additions and/or alterations to the engineering plans as required by the Engineering Department; and
- 2) Acquisition and dedication of off site fire lane, access, and utility easements.

Commissioner Weingarden seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING
24/PRELIMINARY REPLAT: THE TRAILS OF GLENWOOD, PHASE I, BLOCK A,
LOTS 6, 7R, & 8-17
APPLICANT: THE STODDARD GROUP, LTD.**

Mr. Hill stated this is a request for 12 Single-Family Residence-6 lots on 3.0± acres located at the southeast corner of Cloverhaven Way and Bright Star Way. Zoned Single-Family Residence-6. Neighborhood #24. 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 Perry made a motion to approve the item subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

Commissioner Bulla seconded the motion, which passed 8-0.

END OF PUBLIC HEARINGS

AGENDA ITEM NO. 12 - REQUEST TO SCHEDULE FIELD TRIP MIXED USE/URBAN CENTER DEVELOPMENT APPLICANT: CITY OF PLANO

Chairman Duggan stated this is a request to schedule a half-day field trip followed by a work session to initiate discussion regarding a Policy Statement for the Comprehensive Plan relating to the location, design, and development of mixed-use and urban center projects. Staff recommended the Planning & Zoning Commission call a meeting in May, 2008, for a field trip and work session on a Policy Statement addressing mixed-use and urban centers development.

After a brief discussion, Commissioner Perry made a motion for the field trip to be scheduled for the 13th of May, 2008. First Vice Chair Norton seconded the motion, which passed 8-0.

AGENDA ITEM NO. 11 - ITEMS FOR FUTURE DISCUSSION

The Commission had no items they wished to discuss.

There being no further discussion, Chairman Duggan adjourned the meeting at 10:50 p.m.

Planning & Zoning Commissioner

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