

**PLANNING & ZONING COMMISSION  
AUGUST 7, 2006**

**COMMISSIONERS PRESENT**

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

**COMMISSIONER ABSENT**

Joy Flick

**STAFF PRESENT**

Phyllis M. Jarrell, Director of Planning  
Alan Upchurch, City Engineer  
Paige Mims, Assistant City Attorney III  
Tom Elgin, Development Review Manager  
Robin Reeves, Chief Park Planner  
Christina Day, Sr. Planner  
Bester Tauro, Planner  
Eric Hill, Planner  
Michael Arthaud, Planning Technician  
Priscilla Parra, Sr. Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Kalchthaler at 7:00 p.m., Monday, August 7, 2006.

Commissioner Briley made a motion to approve the agenda as presented. First Vice Chair Beach seconded the motion, which passed 7-0.

First Vice Chair Beach made a motion to approve the July 17, 2006, pre-meeting and meeting minutes. Second Vice Chair Abraham seconded the motion, which passed 7-0.

Sonja Hammar, resident, voiced her concerns about the surplus of apartment complexes in Plano. She also requested a work session to address the water shortage situation.

Commissioner Norton requested Agenda Item Nos. 5a and 5b be pulled for individual consideration. Commissioner Briley made a motion to approve the remainder of the consent agenda. Commissioner Duggan seconded the motion, which passed 7-0.

### **ITEMS FOR INDIVIDUAL CONSIDERATION**

#### **AGENDA ITEM NO. 5A - PRELIMINARY PLAT 1/THE CANAL ON PRESTON ADDITION, BLOCK A, LOT 4 APPLICANT: MINT RESORTS, L.P.**

Christina Day, Sr. Planner, stated this is a request for 123 multifamily units and general offices on one lot on 3.8± acres located at the northwest corner of Towne Square Drive and Gratitude Trail. Zoned Planned Development-20-Mixed Use. Staff recommended approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

After a brief discussion, Commissioner Norton made a motion to approve the item subject to staff recommendations. Second Vice Chair Abraham seconded the motion, which passed 7-0.

#### **AGENDA ITEM NO. 5B - PRELIMINARY PLAT 1/THE LINCOLN AT TOWNE SQUARE, PHASE II, BLOCK A, LOT 3 APPLICANT: LINCOLN TC II, L.P.**

Ms. Day stated this is a request for 302 multifamily units on one lot on 10.7± acres located on the west side of Ohio Drive at Towne Square Drive. Zoned Planned Development-20-Mixed Use. Staff recommended approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

After a brief discussion, 1st Vice Chair Beach made a motion to approve the item subject to staff recommendations. Commissioner Duggan seconded the motion, which passed 7-0.

### **END OF ITEMS FOR INDIVIDUAL CONSIDERATION**

### **CONSENT AGENDA**

#### **AGENDA ITEM NO. 5C - PRELIMINARY PLAT 43/PRESTON VILLAGE, PHASE I APPLICANT: PARKER/OHIO VILLAGE, LP**

60 Single-Family Residence Attached lots and five open space lots on 10.0± acres located at the southwest corner of Parker Road and Ohio Drive. Zoned Planned Development-150-Single-Family Residence Attached.

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

**AGENDA ITEM NO. 5D - PRELIMINARY PLAT  
55/COIT ROAD MEDICAL OFFICE ADDITION, BLOCK 1, LOT 1  
APPLICANT: ARIANA INVESTMENTS**

A medical office building on one lot on 1.4± acres located on the west side of Coit Road, 800± feet south of 15th Street. Zoned Retail.

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

**AGENDA ITEM NO. 5E - PRELIMINARY PLAT  
65/PLANO-INDEPENDENCE PARKWAY PLACE, BLOCK 1, LOT 1  
APPLICANT: RACETRAC PETROLEUM, INC.**

A retail store with gas pumps on one lot on 1.7± acres located at the northeast corner of Plano Parkway and Independence Parkway. Zoned Planned Development-374-Retail.

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

**AGENDA ITEM NO. 5F - VACATION OF PLAT  
51/PARK RIOS ADDITION, BLOCK 1, LOTS 2 & 3  
APPLICANT: LYON EQUITIES, INC.**

Two conveyance lots located on the south side of East Park Boulevard, 230± feet west of Los Rios Boulevard. Zoned Planned Development-6-Retail.

Approved as submitted.

**AGENDA ITEM NO. 5G - PRELIMINARY SITE PLAN  
8/LEGACY TOWN CENTER (NORTH), BLOCK A, LOT 1  
APPLICANT: EDS INFORMATION SERVICES, LLC**

370 multifamily units on one lot on 6.3± acres located at the northwest corner of Parkwood Boulevard and Conley Road. Zoned Planned Development-65-Central Business-1.

Approved as submitted.

**AGENDA ITEM NO. 5H - PRELIMINARY SITE PLAN  
67/LUMINATOR ADDITION, BLOCK A, LOT 2  
APPLICANT: RANDALL INDUSTRIAL, L.P.**

An office/warehouse development on one lot on 5.3± acres located at the northwest corner of Plano Parkway and N Avenue. Zoned Light Industrial-1.

Approved as submitted.

**END OF CONSENT AGENDA**

**AGENDA ITEM NO. 6 - DISCUSSION & DIRECTION  
PROPOSED 2006-2007 COMMUNITY INVESTMENT PROGRAM AND WATER AND  
WASTEWATER IMPACT FEE REPORT  
APPLICANT: CITY OF PLANO**

Robin Reeves, Chief Park Planner, and Alan Upchurch, City Engineer, presented the proposed 2006-2007 Community Investment Program and a report on the city's Water and Wastewater Impact Fee Program. Staff recommended approval subject to the Planning & Zoning Commission finding that the CIP furthers the goals and objectives of the Comprehensive Plan.

After some discussion, Commissioner Briley made a motion finding that the Community Investment Plan furthers the goals and objectives of the Comprehensive Plan. Commissioner Duggan seconded the motion, which passed 7-0.

Commissioner Briley made another motion finding that the Water and Wastewater Impact Fee program was being administered without perceived inequities. Second Vice Chair Abraham seconded the motion, which passed 7-0.

**PUBLIC HEARINGS**

**AGENDA ITEM NO. 7 - PUBLIC HEARING  
ZONING CASE 2006-06  
APPLICANT: CITY OF PLANO**

A request to amend Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) of the Zoning Ordinance to create a definition and standards for multistory office building sign. Tabled 04/17/06, 05/01/06, 05/15/06, & 06/19/06. Staff recommended that this item remain on the table until the August 21, 2006, Planning & Zoning Commission meeting.

No vote was taken. This item will remain on the table until the August 21, 2006, meeting.

Agenda Item Nos. 8A and 8B were presented together.

**AGENDA ITEM NO. 8A - PUBLIC HEARING**

**ZONING CASE 2006-15**

**APPLICANT: PRESTON 121 PARTNERS & SA EUN KIM TRUST**

Ms. Day stated this is a request to rezone 98.6± acres located at the southwest corner of State Highway 121 and Preston Road from Commercial Employment to Planned Development-Commercial Employment. Tabled 07/17/06. Two letters were received in support of the item. Staff recommended denial.

Commissioner Briley made a motion to remove the item from the table. Commissioner Armstrong seconded the motion, which passed 7-0.

The public hearing was opened. Kirk Williams, Larry Good, and Jeff Cortwright, all 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 Norton made a motion to deny the item. Commissioner Briley seconded the motion, which passed 5-2. First Vice Chair Beach and Commissioner Duggan, voting in opposition to the denial, supported the addition of residential development to this area.

**AGENDA ITEM NO. 8B - CONCEPT PLAN**

**8/LINCOLN 121 AT PRESTON**

**APPLICANT: PRESTON 121 PARTNERS & SA EUN KIM TRUST**

Ms. Day stated this is a request for a retail, multifamily residence, and single-family residence attached development on 98.6± acres located at the southwest corner of State Highway 121 and Preston Road. Zoned Commercial Employment. Staff recommended denial.

After much discussion, Commissioner Briley made a motion to deny the item. Commissioner Norton seconded the motion, which passed 5-2. First Vice Chair Beach and Commissioner Duggan, voting in opposition to the denial, supported the addition of residential development to this area.

Agenda Item Nos. 9A and 9B were presented together.

**AGENDA ITEM NO. 9A - PUBLIC HEARING  
ZONING CASE 2006-16  
APPLICANT: ACRES OF SUNSHINE, LTD.**

Bester Tauro, Planner, stated this is a request to rezone 34.1± acres located on the north side of Windhaven Parkway, 2,900± feet east of Dallas North Tollway from Planned Development-242-Multifamily-2 and Planned Development-243-Retail/General Office to Planned Development-154-Single-Family Residence-6. Within the 200 foot notice area, four letters were received in support of the item. Outside the 200 foot notice area, one letter was received in support of the item. Staff recommended approval as PD-154-SF-6 subject to:

1. The minimum lot area shall be 5,600 square feet.
2. The minimum lot width for corner lots shall be 80 feet. The minimum lot widths for interior lots shall be 75 feet.
3. The minimum lot depth shall be 75 feet.
4. The minimum front yard setback shall be ten feet. For front-entry garages, the minimum front yard setback for the garage only shall be 20 feet. For side-entry garages, the minimum front yard setback shall be ten feet.
5. The minimum side yard setback for corner lots shall be ten feet. The minimum side yard setbacks for interior lots shall be five feet.
6. The minimum rear yard setback shall be 15 feet.
7. The maximum lot coverage shall be 55% total for primary and accessory buildings.
8. Lots backing to the creek, at the eastern boundary of the PD district, may develop in conformance to base SF-6 standards.

The public hearing was opened. Ashley Frysinger, representing 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 Briley made a motion to approve the item subject to staff recommendations. Second Vice Chair Abraham seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 9B - PHASE II LAND STUDY  
27/AVIGNON WINDHAVEN, PHASES 2 & 3  
APPLICANT: ACRES OF SUNSHINE, LTD.**

Ms. Tauro stated this is a request for 144 Single-Family Residence Detached lots and ten open space lots on 42.4± acres located on the north side of Windhaven Parkway, 2,900± feet east of Dallas North Tollway. Zoned Planned Development-242-Multifamily Residence-2, Planned Development-154-Single-Family Residence-6, and Planned Development-243-Retail/General Office. Staff recommended approval subject to City Council approval of Zoning Case 2006-16.

After some discussion, Second Vice Chair Abraham made a motion to approve the item subject to staff recommendations. Commissioner Duggan seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING - REPLAT  
45/INDEPENDENCE SQUARE SHOPPING CENTER, BLOCK A, LOTS 2R, 3R, 5R,  
6R, & 7  
APPLICANT: PLANO CENTER ASSOCIATES LTD.**

Tom Elgin, Development Review Manager, stated this is a request for a retail center on five lots on 13.9± acres located at the southeast corner of Parker Road and Independence Parkway. Zoned Retail. 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, First Vice Chair Beach made a motion to approve the item as submitted. Second Vice Chair Abraham seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING - REPLAT  
71/SIDNEY ADDITION, BLOCK 1, LOT 1R  
APPLICANT: MIDDLEKAUFF FORD I, L.P.**

Eric Hill, Planner, stated this is a request for a vacant lot on 6.0± acres located on the south side of Plano Parkway, 607± feet east of Fulgham Road. Zoned Light Industrial-1. 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, 2nd Vice Chair Abraham made a motion to approve the item as submitted. Commissioner Armstrong seconded the motion, which passed 7-0.

**END OF PUBLIC HEARINGS**

**AGENDA ITEM NO. 12 - REVISED PRELIMINARY SITE PLAN  
52/GREENWAY 190 ADDITION, BLOCK A, LOTS 1 & 2  
APPLICANT: GREENWAY 190 PARKWAY LP**

Ms. Tauro stated this is a request for retail buildings on two lots on 3.4± acres located at the southwest corner of Plano Parkway and Dallas North Tollway. Zoned Light Industrial-1. Staff recommended denial.

Don Rankin, representing 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 deny the item. Commissioner Briley seconded the motion, which passed 6-1. First Vice Chair Beach, voting in opposition to the denial, felt that the subject property is unique and needed special exception from the Dallas North Tollway Overlay District requirements.

**AGENDA ITEM NO. 13 - PRELIMINARY SITE PLAN & REQUEST FOR WAIVER OF  
THE SUBDIVISION ORDINANCE  
3/DANCE STUDIO ON NORTH CUSTER, BLOCK A, LOT 1  
APPLICANT: GULF COAST PACKAGE, LTD.**

Ms. Day stated this is a request for a dance studio on one lot on 1.7± acres located on the west side of Custer Road, 475± feet north of Kathryn Lane. Zoned Regional Commercial. Staff recommended approval subject to the Planning & Zoning Commission granting a waiver of the Subdivision Ordinance requirement for two points of access to a lot.

Clint Richardson, representing 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 by granting a waiver of the Subdivision Ordinance requirement for two points of access to a lot. Commissioner Briley seconded the motion, which passed 6-1. Commissioner Norton, voting in opposition, stated concerns about public safety access to the building.

**AGENDA ITEM NO. 14 - REVISED PRELIMINARY PLAT, SITE PLAN, REVISED CONVEYANCE PLAT, AND REQUEST FOR WAIVER OF THE SUBDIVISION ORDINANCE**

**8/THE SHOPS AT LEGACY TOWN CENTER (NORTH), BLOCK C, LOT 4; BLOCK D, LOTS 1 & 2**

**APPLICANT: THE KARAHAN COMPANIES**

Ms. Day stated this is a request for an office building and parking garage on two lots and one vacant lot on 3.9± acres located at the northeast corner of Dallas North Tollway and Legacy Circle. Zoned Planned Development-65-Central Business-1. Staff recommended the Planning & Zoning Commission grant a waiver to the Subdivision Ordinance requirements for lot frontage and for approval as follows:

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

Site Plan: Recommended for approval as submitted.

Revised Conveyance Plat: Recommended for approval as submitted.

Pieter Kessels, representing the applicant, spoke in support of the item. No one else spoke for or against the item.

After a brief discussion, Commissioner Norton made a motion to grant a waiver to the Subdivision Ordinance requirements for lot frontage and to approve the item subject to staff recommendations. Second Vice Chair Abraham seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 15 - REQUEST TO CALL A PUBLIC HEARING  
CONSIDERATION OF LOT FRONTAGE REQUIREMENTS IN PLANNED  
DEVELOPMENT-65-CENTRAL BUSINESS-1  
APPLICANT: CITY OF PLANO**

Ms. Day stated this is a request to call a public hearing to consider the lot frontage requirements in Planned Development-65-Central Business-1 (PD-65-CB-1). Staff recommended that the Planning & Zoning Commission call a public hearing to consider the reduction of lot frontage requirements in the whole of PD-65-CB-1.

There being no discussion, Commissioner Briley made a motion to call a public hearing to consider the reduction of lot frontage requirements in the whole of PD-65-CB-1. Commissioner Armstrong seconded the motion, which passed 7-0.

There being no further discussion, Chairman Kalchthaler adjourned the meeting at 9:00 p.m.

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Planning & Zoning Commissioner

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