

PLANNING & ZONING COMMISSION
November 3, 2008

COMMISSIONERS PRESENT

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

COMMISSIONERS ABSENT

Craig Perry

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Tom Elgin, Development Review Manager
Tina Firgens, Sr. Planner
Bester Munyaradzi, Planner
Eric Hill, Planner
Paige Mims, Assistant City Attorney
Priscilla Parra, Planning Technician
Doris Carter, Sr. Administrative Assistant
Evelyn Trull, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Duggan at 7:00 p.m., Monday, November 3, 2008.

Tom Elgin, Development Review Manager, requested that item 5B of the Consent Agenda be removed for individual consideration. Second Vice Chair Armstrong made a motion to approve the agenda as requested. Commissioner Caso seconded the motion, which passed 6-0.

Commissioner Coleman made a motion to approve the minutes of the October 20, 2008, Planning & Zoning Commission meeting. Second Vice Chair Armstrong seconded the motion, which passed 6-0.

Commissioner Caso made a motion to approve the remainder of the consent agenda. Second Vice Chair Armstrong seconded the motion, which passed 6-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - REVISED SITE PLAN 55/BAYLOR MEDICAL CENTER OF PLANO, BLOCK A, LOT 1R APPLICANT: BAYLOR HEALTH CARE SYSTEM

Hospital and medical offices on one lot on 22.3± acres located at the southeast corner of Plano Parkway and Allied Drive. Zoned Planned Development-138-Retail/General Office with Specific Use Permit #164. Neighborhood #55.

Approved as submitted.

AGENDA ITEM NO. 5C - PRELIMINARY SITE PLAN AND CONCEPT PLAN 4/TRINITY PRESBYTERIAN CHURCH ADDITION, BLOCK A, LOTS 1R, 2R & 4 APPLICANT: TRINITY PRESBYTERIAN CHURCH

Religious facility on one lot on 10.8± acres located at the northwest corner of Hedgcoxe Road and Ohio Drive. Zoned Planned Development-159-General Office/Preston Road Overlay District. Neighborhood #4.

Approved as submitted.

AGENDA ITEM NO. 5D - PRELIMINARY PLAT 32/WELLS BROTHERS ADDITION, BLOCK A, LOT 2 APPLICANT: WELLS BROTHERS GRAIN CO.

Retail on one lot on 0.9± acre located on the west side of K Avenue, 1,300± feet south of Spring Creek Parkway. Zoned Corridor Commercial with Specific Use Permit #416 for Truck/Bus Leasing. Neighborhood #32.

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

AGENDA ITEM NO. 5E - PRELIMINARY PLAT 65/CUSTER/190 ADDITION, BLOCK A, LOT 3R APPLICANT: IILM, INC.

Religious facility with day care and medical office on one lot on 2.6± acres located at the northwest corner of Custer Road and Plano Parkway. Zoned Planned Development-376-Retail/General Office. Neighborhood #65.

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

**AGENDA ITEM NO. 5F - SITE PLAN
65/CUSTER/190 ADDITION, BLOCK A, LOT 3R
APPLICANT: IILM, INC.**

Religious facility with day care and medical office on one lot on 2.6± acres located at the northwest corner of Custer Road and Plano Parkway. Zoned Planned Development-376-Retail/General Office. Neighborhood #65.

Approved as submitted.

**AGENDA ITEM NO. 5G - FINAL PLAT
68/CENTRAL PLANO INDUSTRIAL PARK, PHASE III, BLOCK 10, LOT 4
APPLICANT: KRYPTON SOLUTIONS L.L.C.**

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 Research/Technology Center. Neighborhood #68.

Approved as submitted.

**AGENDA ITEM NO. 5H - PRELIMINARY PLAT
8/LEGACY TOWN CENTER (NORTH), BLOCK A, LOTS 4R & 5
APPLICANT: COLUMBUS REALTY PARTNERS, LTD.**

293 multifamily residential units on one lot and one open space lot on 6.1± acres located at the northeast corner of Bishop Road and Bozeman Drive. Zoned Planned Development-65-Central Business-1. Neighborhood #8.

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

END OF CONSENT AGENDA

ITEM FOR INDIVIDUAL CONSIDERATION

**AGENDA ITEM NO. 5B - PRELIMINARY SITE PLAN AND CONCEPT PLAN
12/HEDGCOXE-CUSTER ADDITION, BLOCK A, LOTS 3, 4, & 5
APPLICANT: MILLENNIUM GROUP MANAGEMENT LLC**

Mr. Elgin stated this is retail, medical office buildings, and open space on three lots on 15.4± acres located generally at the southeast corner of Custer Road and Hedgcoxe Road. Zoned Retail. Neighborhood #12. Staff recommended approval subject to the Commission finding that the existing trees and vegetation in the floodplain was an adequate living screen, and permanently waiving the requirement for a masonry screening wall.

There being no discussion, 1st Vice Chair Norton made a motion to approve the item as submitted. Commissioner Coleman seconded the motion, which passed 6-0. The Commission found that the existing trees and vegetation in the floodplain was an adequate living screen, and permanently waived the requirement for a masonry screening wall

END OF ITEM FOR INDIVIDUAL CONSIDERATION

PUBLIC HEARINGS

Tina Firgens, Sr. Planner, requested that Items 6A and 6B be presented together.

AGENDA ITEM NO. 6A - PUBLIC HEARING ZONING CASE 2008-68 APPLICANT: CITY OF PLANO

Ms. Firgens stated this is a request to rezone 58.4± acres located at the southwest corner of Preston Road and Spring Creek Parkway from Planned Development-447-Retail/Multifamily Residence-2 to Planned Development-Retail. Zoned Planned Development-447-Retail/Multifamily Residence-2. Second Vice Chair Armstrong made a motion to remove the item from the table. Commissioner Caso seconded the motion, which passed 6-0. Staff recommended approval subject to:

1. Banner signs being prohibited within the proposed Planned Development-Retail ordinance; and
2. Planning & Zoning Commission finding, based upon the TIA, that the thoroughfares can accommodate anticipated traffic volumes at an acceptable level of service.

The request is for PD-R zoning with the following stipulations. (Additions since the October 20, 2008, Planning & Zoning Commission meeting are indicated in italicized and underlined text; deletions are indicated in strikethrough text.)

General Conditions for the Planned Development District:

1. The map attached hereto as Exhibit A (Zoning Exhibit) is hereby adopted as part of this ordinance.
2. The regulations within this planned development district shall apply to all properties within the district, unless otherwise specified for a particular tract as depicted on Exhibit A.

Specific Provisions of the Planned Development District:

1. Additional Permitted Uses:

- a. One mini-warehouse/public storage development only shall be allowed by right on Tract 2 in accordance with the following:
 - i. Shall be part of a single building with multiple uses, of which a minimum 70,000 square feet shall be retail, office, restaurant, and/or other uses as allowed by the district (excluding mini-warehouse/public storage), and a maximum of 90,000 square feet may be mini-warehouse/public storage use.
 - ii. The mini-warehouse/public storage use must be contiguous with and wrapped by retail, office, restaurant, and/or other uses as allowed by the district (excluding mini-warehouse/public storage) as follows:
 - (a.) The entire east and north building elevations shall consist of retail, office, restaurant, and/or other uses (excluding mini-warehouse/public storage).
 - (b.) A minimum of 50% of the west and south building elevations shall consist of retail, office, restaurant, and/or other uses (excluding mini-warehouse/public storage).
 - iii. Maximum height shall be four stories (50 feet).
 - iv. Access to all storage units must be from the interior of the building.
 - b. Mini-warehouse/public storage developments are prohibited on Tract 1.
2. Area, Yard, and Bulk Requirements:
- a. Maximum Allowable Building Area (excluding parking garages):
 - i. Tract 1 – 269,000 square feet.
 - ii. Tract 2 – 658,000 square feet.
 - b. Maximum Height:
 - i. Tract 1 – Two Stories (50 feet).
 - ii. Tract 2 – Maximum six stories (105 feet), except structures within 100 feet of residentially zoned properties shall have a maximum height of four stories (60 feet). Buildings and parking structures in Tract 2 are exempt from residential slope setback requirements in Subsections 3.511, 3.606, and 3.704; but shall have a minimum 30 foot setback from residential zoning districts.

- c. Maximum Floor Area:
 - i. Tract 1 – 0.6:1. Parking structures shall be excluded in the FAR calculations.
 - ii. Tract 2 – 1:1. Parking structures shall be excluded in the FAR calculations.
 - d. Maximum Lot Coverage: 50%. Parking structures shall be excluded in the lot coverage calculations.
3. Parking:
- a. Mini-warehouse/public storage: One space per 3,000 square feet.
 - b. Parking for all other uses shall be in accordance with Section 3.1100 (Off-Street Parking).
4. General Requirements/Other:

Pad sites (structures less than 5,000 square feet) shall be limited to one site per five acres.

5. Signage Regulations:

In addition to signs permitted by Section 3.1600 of the Zoning Ordinance and as amended by the Preston Road Overlay District (Section 4.500), the following additional signs and/or revised sign definitions and standards are permissible:

a. Freestanding Identification Signs

i. General

A maximum of two freestanding identification signs shall be permitted. One sign may be located along Spring Creek Parkway within Tract 2 and one sign may be located along Preston Road within Tract 1. The sign may be an architectural entry feature that spans the driveway entrance and the height shall be limited to maximum 35 feet.

ii. Size

Sign copy area shall be limited to maximum 150 square feet and shall span the driveway entrance only.

iii. Setbacks

Freestanding identification signs may be located within the required front yard setback; however, the signs shall be setback a minimum 25 feet from public right-of-way. ~~and are exempt from the requirement that they be located at least 30 feet from a property line and~~ The signs are exempt from the requirement that they be located at least 60 feet from a 60 foot distance separation requirement from general business signs.

b. Multipurpose Signs

Multipurpose signs shall be prohibited along Spring Creek Parkway and Preston Road.

c. General Business Signs

General business signs may be used and shall comply with the standards in Section 3.1600 as amended by the Preston Road Overlay District (Section 4.500). The maximum number of general business signs along Preston Road shall be ten, the maximum number of general business signs along Spring Creek Parkway shall be five, and the maximum number of general business signs along Lorimar Drive/Bay Water Drive shall be five.

d. Identification Sign

One identification sign is allowed at the southwest corner of Spring Creek Parkway and Preston Road only. The sign shall not exceed 100 square feet in sign copy area and the sign copy area may be incorporated into a masonry retaining wall.

e. Directional Signs

i. General

A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, retail, office, hotel or parking areas. A directional sign may be a freestanding sign, a wall sign, a projecting sign, or mounted to a vertical support. These signs shall not contain advertising and shall be specifically directional in nature.

ii. Size

A directional sign mounted to a vertical support shall not exceed 15 square feet and the maximum sign width is three feet wide. The bottom of the sign shall not fall below seven feet from the ground surface.

f. Directory Map

i. General

A directory map is a noncommercial map listing the occupants within a shopping center, retail district, office district, or commercial site. A directory map may be freestanding, mounted to a wall, mounted to a vertical support, or incorporated into a kiosk. A directory map is used to provide wayfinding information for pedestrians.

ii. Size

A directory map shall not exceed 28 square feet.

g. Sloping Roof Signs

i. General

A sloping roof sign sits at the base of a sloping roof structure/awning element and does not extend above the roofline of the structure or element.

ii. Size

Sloping roof sign height shall not exceed one-third of the height of the sloping roof seen in true elevation.

h. A-frame Signs

i. General

An A-frame sign is a self-supporting A-shaped sign with two visible sides that is located on or adjacent to a private sidewalk. The sign shall be sufficiently weighted or anchored.

ii. Size

The maximum square footage is eight square feet per sign face and the maximum sign height is four feet.

i. Projecting Signs

i. General

Projecting signs must keep a minimum clearance of eight feet above the sidewalk.

ii. Size

The horizontal portion of any projecting sign shall not be more than six feet six inches in length measured from the building face. The projecting sign shall not exceed 18 square feet per side.

j. Kiosks

i. General

Freestanding kiosk structures may be erected on individual lots. All accessibility and visibility requirements must be met. A maximum of eight freestanding kiosks may be installed within the zoning district; a maximum of four kiosks within Tract 1 and a maximum of four kiosks within Tract 2. Kiosks may display directory maps, artwork, or messages that pertain to the district or special events or be used for commercial advertising signs and/or merchandising sales.

ii. Size

Signage on kiosks may not exceed 60 square feet. For multiple-sided kiosks, the gross surface area of each side shall not exceed two times the allowable square footage divided by the number of sign faces.

k. Banner Signs

i. General

Banners may be mounted to a vertical support or attached to a building or parking deck. Banners which are mounted to a vertical support may be integrated onto light poles provided that the banners are anchored at two points to the light poles. Banners may display artwork or a message that pertains to the district or a special event but shall not be used for commercial advertising signs. Banners are prohibited within the public rights-of-way.

ii. Size

Banner signs shall not exceed 17.5 square feet in size and banners must provide minimum 14 foot clearance above the paved surface.

iii. Quantity

Banners may be installed on a maximum of 50% of the light standards in the parking lot, or at a rate of two banners per acre based on the platted lot size, whichever is less.

The public hearing was opened. Stephen Dinapoli spoke in favor of the item.

Tamara Binkley, a student in Public Affairs at The University of Texas at Dallas, spoke in opposition to the item. Ms Binkley expressed concerns regarding density, visibility of the proposed public storage use, and traffic concerns.

The public hearing was closed.

The Commissioners had concerns regarding the mini-warehouse/public storage use and its proposed location, and requested allowable building heights recommended by staff.

After much discussion, 2nd Vice Chair Armstrong made a motion to approve the item including the banner sign standards. No second was made.

After further discussion, Commissioner Bulla made a motion to approve the item as recommended by staff. Second Vice Chair Armstrong seconded the motion, which failed 2-4. Chairman Duggan, 1st Vice Chair Norton, Commissioner Coleman and Commissioner Caso voted in opposition.

**AGENDA ITEM NO. 6B - REVISED CONCEPT PLAN
31/LAKESIDE MARKET, PHASES 1 & 2
APPLICANT: LSM CENTER PARTNERS, LP**

Ms. Firgens stated this is a multi-use development on seven lots on 49.5± acres located at the southwest corner of Preston Road and Spring Creek Parkway. Zoned Planned Development-447- Retail/Multifamily Residence-2. Neighborhood #31. Second Vice Chair Armstrong made a motion to remove the item from the table. Commissioner Caso seconded the motion, which was approved 6-0. Staff recommended approval subject to City Council approval of Zoning Case 2008-68.

There being no discussion, 1st Vice Chair Norton made a motion to deny. Commissioner Caso seconded the motion, which passed 6-0.

**AGENDA ITEM NO. 7 - PUBLIC HEARING
ZONING CASE 2008-70
APPLICANT: CITY OF PLANO**

Ms. Firgens stated this is a request to rezone 12.0± acres located on the east side of Bay Water Drive, 230± feet south of Spring Creek Parkway from Planned Development-447-Retail/Multifamily Residence-2 to Multifamily Residence-2. Zoned Planned Development-447-Retail/Multifamily Residence-2. Second Vice Chair Armstrong made a motion to remove the item from the table. Commissioner Caso seconded the motion, which passed 6-0. With the denial of Item No. 6A, staff recommends denial of this item.

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

After some discussion, Commissioner Caso made a motion to deny. Commissioner Coleman seconded the motion, which passed 6-0.

**AGENDA ITEM NO. 8 - PUBLIC HEARING - REPLAT
27/AVIGNON WINDHAVEN, PHASE I, BLOCK H, LOT 10R
APPLICANT: WINDHAVEN PARTNERS, L.P.**

Bester Munyaradzi, Planner, stated this is one open space lot on 1.5± acres located at the northeast corner of Jacqueline Drive and Cadence Lane. Zoned Planned Development-154-Single-Family Residence-6. Neighborhood #27. 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 Caso seconded the motion, which passed 6-0.

**AGENDA ITEM NO. 9 - PUBLIC HEARING - REPLAT
4/TRINITY PRESBYTERIAN CHURCH ADDITION, BLOCK A, LOTS 1R, 2R, & 4
APPLICANT: TRINITY PRESBYTERIAN CHURCH**

Ms. Munyaradzi stated this is a religious facility on three lots on 16.2± acres located at the northwest corner of Hedgcoxe Road and Ohio Drive. Zoned Planned Development-159-General Office. Neighborhood #4. 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 Bulla made a motion to approve the item as submitted. First Vice Chair Norton seconded the motion, which passed 6-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING - PRELIMINARY REPLAT
32/WELLS BROTHERS ADDITION, BLOCK A, LOT 1R
APPLICANT: WELLS BROTHERS GRAIN COMPANY, INC..**

Eric Hill, Planner, stated this is retail on one lot on 5.6± acres located on the west side of K Avenue, 1,300± feet south of Spring Creek Parkway. Zoned Corridor Commercial with Specific Use Permit #416 for Truck/Bus Leasing. Neighborhood #32. 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 Coleman made a motion to approve the item as submitted. Commissioner Caso seconded the motion, which passed 6-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING - PRELIMINARY REPLAT & REVISED
SITE PLAN
67/CAPITAL WIRE AND CABLE ADDITION, BLOCK 1, LOT 1R
APPLICANT: TENTH STREET BSF, L.L.C.**

Mr. Hill stated this is warehouse buildings on one lot on 17.9± acres located on the south side of 10th Street, 300± feet west of J Place. Zoned Light Industrial-1. Neighborhood #67. 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 Caso made a motion to approve the item as submitted. First Vice Chair Norton seconded the motion, which passed 6-0.

END OF PUBLIC HEARINGS

**AGENDA NO. 12 - DISCUSSION
PRIVATE CLUB REGULATIONS AND PROPOSED AMENDMENTS
APPLICANT: CITY OF PLANO**

Mr. Elgin stated this item is a discussion of current private club regulations and potential amendments. The purpose of this agenda item is to share staff's discussion with City Council, and City Council's unanimous direction to proceed with private club amendments. After some discussion, the Commission asked staff to draft amendments and bring them to the Commission for their formal consideration.

AGENDA ITEM 6A - REOPENED FOR DISCUSSION.

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 Norton made a motion to deny Item 6A. Commissioner Caso seconded the motion, which passed 4-2. Second Vice Chair Armstrong and Commissioner Caso voted in opposition.

AGENDA ITEM NO. 13 - ITEMS FOR FUTURE DISCUSSION

The Commission had no items they wished to discuss.

There being no further discussion, Chairman Duggan adjourned the meeting at 8:20 p.m.

Planning & Zoning Commissioner

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