

PLANNING & ZONING COMMISSION
April 18, 2011

COMMISSIONERS PRESENT

Christopher Caso, Chairman
David Downs, 1st Vice Chair
Michael Coleman, 2nd Vice Chair
Fred Balda
Jim Norton
Doug Hazelbaker
Alan Smith
Tracey Dry

STAFF PRESENT

Phyllis Jarrell, Director of Planning
Tina Firgens, Planning Manager
Kate Perry, Sr. Planner
Eric Hill, Planner
Bester Munyaradzi, Planner
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 Caso at 7:02 p.m., Monday, April 18, 2011.

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

Second Vice Chair Coleman made a motion to approve the minutes of the April 4, 2011, Planning & Zoning Commission meeting as submitted. Commissioner Smith seconded the motion, which passed 8-0.

Second Vice Chair Coleman made a motion to approve the consent agenda as submitted. Commissioner Hazelbaker seconded the motion, which passed 8-0.

CONSENT AGENDA

**AGENDA ITEM NO. 5A - REVISED PRELIMINARY SITE PLAN
64/MCDERMOTT SQUARE ADDITION, BLOCK A, LOTS 2, 3, 4, & 6R
APPLICANT: MCDERMOTT SQUARE, L.P.**

Retail on four lots on 6.4± acres located generally at the northeast corner of Independence Parkway and McDermott Road. Zoned Planned Development-400-Retail. Neighborhood #64.

Approved as submitted.

**AGENDA ITEM NO. 5B - PRELIMINARY PLAT
1/THE TRIBECA, BLOCK A, LOT 2
APPLICANT: THE ENCORE APARTMENTS, LLC**

240 multifamily units on one lot on 8.2± acres located at the southwest corner of McDermott Road and Ohio Drive. Zoned Planned Development-20-Mixed Use. Neighborhood #1.

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

**AGENDA ITEM NO. 5C - PRELIMINARY PLAT
15/NW PLANO PARK & RIDE ADDITION, BLOCK A, LOT 1
APPLICANT: DALLAS AREA RAPID TRANSIT**

Transit center on one lot on 9.6± acres located on the east side of Communications Parkway, 800± feet south of Tennyson Parkway. Zoned Commercial Employment/Dallas North Tollway Overlay District. Neighborhood #15.

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

END OF CONSENT AGENDA

PUBLIC HEARINGS

**AGENDA NO. 6 - PUBLIC HEARING
ZONING CASE 2011-06
APPLICANT: CITY OF PLANO**

Kate Perry, Sr. Planner, stated this is a request to amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) and Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance with regard to development standards and uses within the Research/Technology Center zoning district. Staff recommended approval as follows (additions are indicated by underlined text and deletions are indicated by strike-through text).

1. Amend (4) (Off-Street Parking and Loading Requirements) (e) of Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of subsection to be deleted as follows:
 4. Off-Street Parking and Loading Requirements
 - d. ~~In order to accommodate future changes in use, approved site plans shall include adequate land area to increase parking to the minimum~~

~~requirements for office development (one space per 300 square feet) for 75% of the gross floor area of any building.~~

2. Amend (5) (Landscaping) of Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses), such portion of subsection to read as follows:

~~5. Landscaping (ZC 2006-02; Ordinance No. 2006-4-24)~~

~~A minimum of 20% of the total, lot area shall be landscaping which may include courtyards, plazas, walkways, water features, and related treatments in addition to plant materials. (See '3.1200 Landscaping Requirements'.) Per the development standards and incentives in Section 3.1700 (Storm Water Management), up to 50% of this required landscape area may be placed outside of the parking lot and/or landscaping along street rights-of-way if designated as storm water conservation area on a site-specific storm water management plan per Section 3.1700.~~

5. Landscaping (See Section 3.1200 Landscaping Requirements and Section 4.700 190 Tollway/Plano Parkway Overlay District).

3. Amend (7) (Special District Requirements) (b) of Subsection 2.826 (RT-Research/Technology Center) of Section 2.800 (District Charts) (b) of Article 2 (Zoning Districts and Uses), such portion of subsection to read as follows:

7. Special District Requirements

b. Retail and service uses identified with an “*” in Subsection 2.502, Schedule of Permitted Uses, may not occupy more than ten percent of the gross floor area** of a building unless the building and the designated location and amount of said uses are part of an approved site plan for more than one building, and the amount of space for these uses does not exceed ten percent of the combined floor area of all constructed buildings. The space for these uses may be redistributed within and among the buildings with the approval of a revised site plan. If a site plan includes multiple lots, all property owners must authorize the application. These uses may not be distributed among noncontiguous parcels of land.

A freestanding (sole use and occupant) restaurant/cafeteria is permitted in an RT district ~~as part of the ten percent allowance described above~~ if it has a minimum of 5,000 square feet of gross floor area** and no drive-in window.

**“Gross Floor Area” means the total floor area of a building from the exterior face of a building or from the centerline of a wall separating two buildings, but shall exclude any space where the floor-to-ceiling height is less than six feet and all patios, balconies, and parking facilities.

4. Amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) to allow

restaurant/cafeteria by right in the Research/Technology Center zoning district and adding End Note 44 as follows:

| Permitted uses | Category | O-1 - Neighborhood Office | O-2 - General Office | R - Retail | BG – Downtown /Government | LC - Light Commercial | CE - Commercial Employment | CB-1 - Central Business-1 | LI-1 - Light Industrial-1 | LI-2 - Light Industrial-2 | RE - Regional Employment | RC - Regional Commercial | RT - Research/Technology Center | CC - Corridor Commercial |
|--------------------------|----------|---------------------------|----------------------|------------|---------------------------|-----------------------|----------------------------|---------------------------|---------------------------|---------------------------|--------------------------|--------------------------|---------------------------------|--------------------------|
| Restaurant/ Cafeteria | Service | | S | P | P | P | P | P | P | P | P ₄₃ | P | P ₄₄ | P |

| | |
|----|---|
| 44 | See '2.826 RT – Research/Technology Center. |
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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 Coleman made a motion to approve the item as submitted. First Vice Chair Downs seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2011-07
APPLICANT: MEGATEL HOMES INC.**

Bester Munyaradzi, Planner, stated this is a request to rezone 11.1± acres located on the east side of Ohio Drive, 641± feet north of Rasor Boulevard from Retail to Planned Development-Single-Family Residence-6. Zoned Retail. There were three letters received in opposition of the item. Staff recommended approval as follows:

Restrictions:

The permitted uses and standards shall be in accordance with the Single-Family Residence-6 (SF-6) zoning district unless otherwise specified herein.

General Provisions of the Planned Development

1. The zoning exhibit shall be adopted as part of the ordinance.
2. A maximum of nine lots shall have a minimum lot width of 50 feet; all other lots shall comply with the minimum lot width requirements for the SF-6 district.

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

Don Plunk, representing the applicant, was available to answer any questions.

After some discussion, Commissioner Norton made a motion to approve the item as submitted. Commissioner Balda seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 7B - CONCEPT PLAN
1/BEVERLY HILLS ESTATES I ADDITION & BEVERLY HILLS ESTATES II
ADDITION, BLOCK F, LOTS 1-3
APPLICANT: MEGATEL HOMES INC.**

Ms. Munyaradzi stated this is a request for 50 Planned Development-Single-Family Residence-6 lots and one open space lot on 11.1± acres and retail, restaurant, and convenience store with gas pumps on three lots on 3.8± acres located at the northeast corner of Ohio Drive and Razor Boulevard. Zoned Retail. Neighborhood #1. Staff recommended approval subject to City Council approval of Zoning Case 2011-07.

There being no discussion, 1st Vice Chair Downs made a motion to approve the item as submitted. Commissioner Dry seconded the motion, which passed 8-0.

**AGENDA NO. 8 - PUBLIC HEARING
8/REVISED PRELIMINARY REPLAT & REVISED SITE PLAN: CAPITAL ONE
ADDITION, BLOCK 1, LOT 3R
APPLICANT: CAPITAL ONE NATIONAL ASSOCIATION**

Ms. Perry stated this is a request for general office on one lot on 25.6± acres located on the west side of Preston Road, 1,036± feet north of Hedgcoxe Road. Zoned Commercial Employment/Preston Road Overlay District. Neighborhood #8. Staff made the following recommendagtions:

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

Revised Site Plan: Recommended approval subject to Fire Department approval of a variance to the 150-foot hose-lay requirement.

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 Coleman made a motion to approve the item as submitted. Commissioner Hazelbaker seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 9 - PUBLIC HEARING
38/PRELIMINARY REPLAT & REVISED SITE PLAN: SPRING CREEK CAMPUS
ADDITION, BLOCK 1, LOT 1R
APPLICANT: COLLIN COUNTY COMMUNITY COLLEGE DISTRICT**

Eric Hill, Planner, stated this is a request for a college on one lot on 97.5± acres located on the east side of Jupiter Road and on the south side of Spring Creek Parkway. Zoned Planned Development-456-General Office/Parkway Overlay District. Neighborhood #38. Staff made the following recommendations:

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 subject to Fire Department approval of a variance to the 150-foot hose-lay requirement.

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

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

END OF PUBLIC HEARINGS

**AGENDA NO. 10 - APPEAL OF THE DIRECTOR OF PLANNING'S INTERPRETATION
OF THE ZONING ORDINANCE
APPLICANT: CUSTER ROAD UNITED METHODIST CHURCH**

Phyllis Jarrell, Director of Planning, stated this is request for an appeal of the Director of Planning's Interpretation of the Zoning Ordinance regulations as they apply to the use of outdoor athletic fields operated by a nonprofit organization. Ms. Jarrell stated that the Commission may uphold the interpretation of the Director of Planning, or overturn it. If the Commission does not agree with the interpretation, staff requests guidance as to how the use should be classified or if ordinance amendments should be pursued. The Commission may call a public hearing to consider amending the ordinance for this purpose.

Commissioners Balda and Hazelbaker recused themselves from the discussion due to a conflict of interest.

Bryce Green and Pastor Ronald Henderson, applicants, spoke in favor of the appeal of Ms. Jarrell's interpretation. The applicants believe that the use of the property should be classified as a private recreation center and not a community center. They were available to answer any questions.

Citizens Melanie and Michelle Matune, citizens of Plano, had complaints regarding their trash receptacles being used by people who were at the field; parking in the alley; the

field lights shining into their homes; and only one portable restroom being available for use.

Tim Trevino, Director of the Texas Football Club, was available to answer any questions.

After much discussion, 2nd Vice Chair Coleman made a motion to uphold the Director's interpretation of the Zoning Ordinance. First Vice Chair Downs seconded the motion, which failed 3-3. Chairman Caso, and Commissioners Dry and Norton voted in opposition to the motion.

After additional discussion, Commissioner Norton made a motion to table the item to the May 16, 2011, Planning & Zoning Commission meeting in order to allow for additional discussion regarding this item. First Vice Chair Downs seconded the motion, which passed 6-0.

Commissioner Hazelbaker resumed his seat.

AGENDA ITEM NO. 11 - ITEMS FOR FUTURE DISCUSSION

The Commission had no items they wished to discuss.

There being no further discussion, Chairman Caso adjourned the meeting at 8:30 p.m.

Planning & Zoning Commissioner

xc: Honorable Mayor and City Council
Bruce Glasscock, City Manager