

PLANNING & ZONING COMMISSION
September 19, 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

Tina Firgens, Planning Manager
Kate Perry, Sr. Planner
Eric Hill, Planner
Bester Munyaradzi, Planner
Paige Mims, Assistant City Attorney
Tammy Stuckey, Administrative Support Supervisor
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, September 19, 2011.

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

First Vice Chair Downs made a motion to approve the minutes of the September 6, 2011, Planning & Zoning Commission meeting as submitted. Commissioner Norton seconded the motion, which passed 8-0.

Chairman Caso opened the floor for general discussion. Ernest Horany, citizen of Plano, had concerns about uncompleted construction at the northwest corner of Custer Road and Plano Parkway.

Tina Firgens, Planning Manager, stated that she, along with the Building Inspection's Department, would follow-up with the applicant and contact Mr. Hornay with the results.

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

CONSENT AGENDA

AGENDA ITEM NO. 5A - REVISED CONCEPT PLAN 59/ROYAL ADDITION NO. 2, BLOCK A, LOT 7 APPLICANT: MICHAEL ROYAL

Retail on one lot on 2.9± acres located at the northeast corner of U.S. Highway 75 and Exchange Drive. Zoned Corridor Commercial. Neighborhood #59.

Approved as submitted.

AGENDA ITEM NO. 5B - REVISED CONVEYANCE PLAT 59/ROYAL ADDITION NO. 2, BLOCK A, LOTS 5 & 7 APPLICANT: MICHAEL ROYAL

Two conveyance lots on 4.0± acres located at the southeast corner of U.S. Highway 75 and Ozark Drive. Zoned Corridor Commercial. Neighborhood #59.

Approved as submitted.

AGENDA ITEM NO. 5C - PRELIMINARY SITE PLAN 8/GRANITE PARK, BLOCK A, LOT 3 APPLICANT: TOLLWAY/121 PARTNERS, LTD.

General office and parking structure on one lot on 6.5± acres located at the southeast corner of Dallas North Tollway and Granite Parkway. Zoned Central Business-1/Dallas North Tollway Overlay District. Neighborhood #8.

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

AGENDA ITEM NO. 5D - FINAL PLAT 15/FIRE STATION #13 ADDITION, BLOCK A, LOT 1 APPLICANT: CITY OF PLANO

Fire station on one lot on 2.4± acres located on the west side of Corporate Drive, 550± feet north of Tennyson Parkway. Zoned Commercial Employment. Neighborhood #15.

Approved as submitted.

AGENDA ITEM NO. 5E - PRELIMINARY SITE PLAN 4/TRINITY PRESBYTERIAN CHURCH ADDITION, BLOCK A, LOTS 4R & 5 APPLICANT: RBN HEDGE INVESTMENTS, LTD.

Medical office and day care center on two lots on 3.4± acres located on the north side of Hedgcoxe Road, 520± feet west of Ohio Drive. Zoned Planned Development-159-General Office/Preston Road Overlay District. Neighborhood #4.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

Kate Perry, Sr. Planner, presented Agenda Items No. 6A and 6B together.

AGENDA ITEM NO. 6A - PUBLIC HEARING ZONING CASE 2011-15 APPLICANT: FAIRVIEW FARM LAND CO. LTD.

Ms. Perry stated this is a request to rezone 119.2± acres located at the northeast corner of Custer Road and Park Boulevard **from** Agricultural **to** Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home/Single-Family Residence Attached and Planned Development-Retail. Zoned Agricultural. Staff supports the residential portion of the zoning request and recommends approval subject to the Planning & Zoning Commission finding that Single-Family Residence Attached zoning is appropriate on the tract identified for Planned Development-Retail. There were 2 letters received in support of the item and 121 letters received in opposition of the item.

Ms. Firgens informed the Commission of the different voting options and what staff recommendations were regarding the zoning case and concept plan.

The public hearing was opened. Matthew Alexander, Dowdey, Anderson, & Associates, Inc., Rob Paul, Toll Brothers, and Steve Williamson, Transwestern Retail, representing the applicant, were available to answer any questions.

The public hearing was opened. Roy Fisher, Bob Maurois, Kent Harrington, Cindy Chambo, Bo Chambo, Rick Henn, and Robert Miller, citizens of Plano, spoke in opposition of the zoning request. The public hearing was closed.

After much discussion, Commissioner Balda made a motion to table the item for 30 days to allow time for the applicants to come back with a revised zoning request and concept plan. Second Vice Chair Coleman seconded the motion, which passed 8-0. The Commission provided the following direction to the applicant as a result of tabling the request:

- Consider reducing the number of street connections to Country Place Drive;
- Consider increasing the landscape buffer along Country Place Drive; and
- Consider removing retail from the plan, and replacing the retail with Single-Family Residence Attached zoning, and extend the Patio Home zoning southward to where the Single-Family Residence Attached was originally planned.

**AGENDA ITEM NO. 6B - CONCEPT PLAN
46/HAGGARD ESTATES
APPLICANT: FAIRVIEW FARM LAND CO. LTD**

Ms. Perry stated this is a request for 131 Single-Family Residence-6 lots, 128 Single-Family Residence-7 lots, 122 Patio Home, 78 Single-Family Residence Attached lots, 25 open space lots, and retail on 119.2± acres located at the northeast corner of Custer Road and Park Boulevard. Zoned Agricultural. Neighborhood #46. Staff recommended denial due to staff's recommendation for companion Zoning Case 2011-15 of Single-Family Residence Attached zoning for the retail portion of the plan. Staff further stated that if the Planning & Zoning Commission recommends approval of the companion Zoning Case 2011-15 as submitted, then staff recommends approval of the concept plan as submitted.

After much discussion, 1st Vice Chair Downs made a motion to table the item for 30 days to allow time for a revised concept plan. Commissioner Balda seconded the motion, which passed 8-0.

Chairman Caso stated that it was brought to his attention that the 30th day would not fall on a meeting Monday, so he requested a motion be made for Agenda Items No. 6A and 6B to be tabled to the October 17, 2011 Planning & Zoning Commission meeting.

First Vice Chair Downs made a motion to table Agenda Items No. 6A and 6B to the October 17, 2011, Planning & Zoning Commission meeting. Commissioner Dry seconded the motion, which passed 8-0.

Ms. Firgens stated that Ms. Perry would make sure that the applicant as well as everyone that was on an email notification list that staff is maintaining for the project, is notified again as to the amended meeting date.

**AGENDA ITEM NO. 7 - PUBLIC HEARING
ZONING CASE 2011-24
APPLICANT: JETZAMANY VELAZQUEZ**

Bester Munyaradzi, Planner, stated this is a request for Specific Use Permit for Day Care Center (In-home) on 0.1± acre located on the east side of Grenoble Court, 110± feet north of Renaissance Drive. Zoned Planned Development-74-Single-Family Residence-7, Two-Family Residence (Duplex), and Planned Residential Development-7. Staff recommended approval as submitted. There were two letters received in support of the item and no letters received in opposition.

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

Jetzamany Velazquez, applicant, was available to answer any questions.

After a brief discussion, Commissioner Dry made a motion to approve the item as submitted. First Vice Chair Downs seconded the motion, which passed 5-3.

Commissioners voting in opposition believed that eight children was an appropriate maximum number of children for an in-home day care center.

**AGENDA ITEM NO. 8 - PUBLIC HEARING
ZONING CASE 2011-26
APPLICANT: CITY OF PLANO**

Eric Hill, Planner, stated this is a request to amend Subsection 3.1605 (Downtown Sign District) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance to allow for reader board/electronic message center signs. Staff recommended for approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Amend Subsection 3.1605 (Downtown Sign District) of Section 3.1600 (Sign Regulations) of Article 3 (Supplementary Regulations) such portion of subsection to read as follows:

3. General Provisions

d. Sign Materials

Sign finish materials shall be one of the following:

- i. Metal, painted or enameled.
- ii. Cold cathode tube (neon).
- iii. Carved relief in stone or cast stone.
- iv. Wood or carved wood which is painted or sealed.
- v. The use of plastic on the exterior of a sign is prohibited, except on a marquee and institution signs.

e. Lighting of Signs

- i. All electrical shall comply with the currently adopted version of the National Electrical Code.
- ii. Buildings and signs may be illuminated by remote light sources provided that these light sources are shielded to protect adjacent properties.
- iii. No illuminated sign may contain flashing or moving elements or change its brightness. (Exception: historic signs.)
- iv. No signs, except a marquee and institution signs, may be illuminated by fluorescent or back lighting. Institution signs with a reader board/electronic message center shall be illuminated in accordance with 3.1603(7). (Exception: historic signs.)

5. Signs Allowed/Prohibited

b. Prohibited Signs

The following signs are prohibited in the Downtown Sign District:

- i. Any sign not specifically permitted by this section is prohibited.
- ii. Any sign that flashes, blinks, revolves, or is put into motion by the atmosphere will not be permitted unless otherwise allowed in 3.1605.
- iii. Portable signs, except for a-frame or sandwich board signs, will not be permitted.

6. Table of Permitted Signs

SIGNS PERMITTED IN EACH SUB-AREA OF THE DOWNTOWN SIGN DISTRICT		
Sign Type	Area A	Area B
A-frame/Sandwich Board Sign	X	X
Armature Sign		X
Awning Sign	X	X
Banner Sign	X	X
Directory Sign	X	X
Hanging Sign	X	X
<u>Institution Sign</u>		<u>X</u>
Marquee Sign	X	X
Pole Sign		X
Municipally-owned Sign	X	X
Mural Sign	X	X
Onsite Directional Sign	X	X
Projecting Sign	X	
Wall Sign - Attached	X	X
Window Sign	X	
(X = Permitted)		

7. Sign Standards

r. Institution Signs

Institution signs shall not exceed 32 square feet with a maximum height of six feet, and shall be monument-type signs. Required setback shall be eight feet from the front property line (or any property line adjacent to a street) and 30 feet from any adjoining property line. Institution signs are limited to one per street front along major streets only as defined by Subsection 8.222 (5)(a)(i).

Selso Mata, Chief Building Official, was available to answer any questions.

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

After some discussion, Commissioner Hazelbaker made a motion to approve the item as submitted. First Vice Chair Downs seconded the motion, which passed 8-0.

AGENDA ITEM NO. 9 - PUBLIC HEARING ZONING CASE 2011-28 APPLICANT: CITY OF PLANO

Ms. Perry stated this is a request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), and related sections of the Zoning Ordinance pertaining to private recreation facility and recreation center uses. Staff recommended that the definition for "private recreation facility" be changed to read as follows: (Additions are in underlined text; deletions are shown as strikethrough text)

Amend Section 1.600 (Definitions) of Article 1 (General Regulations), such definition to read as follows:

Private Recreation Facility or Area - A ~~recreation facility or area~~ that provides for sports, leisure, and recreation activities operated for the exclusive use of ~~private residents or neighborhood groups~~, its members, and their guests and not the general public, which is owned and/or operated by a nonprofit organization.

The public hearing was opened. Tim Pullen, representing Custer Road United Methodist Church, spoke in support of the recommendation. The public hearing was closed.

After some discussion, 1st Vice Chair Downs made a motion to approve the item as follows:

Recommended for approval as follows: (Additions are in underlined text; deletions are shown as strikethrough text)

Amend Section 1.600 (Definitions) of Article 1 (General Regulations), such definitions to read as follows:

Private Recreation Facility or Area - A ~~recreation facility or area~~ which is owned and/or operated by a nonprofit organization, that provides for sports, leisure, and recreation activities operated for the exclusive use of private residents or neighborhood groups, its members and their guests and not the general public.

Recreation Center - A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, owned and/or operated by a governmental agency.

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

**AGENDA ITEM NO. 10 - PUBLIC HEARING
66/REPLAT: COLLIN CREEK PHASE II ADDITION, BLOCK B, LOT 2R
APPLICANT: RAISING CANE'S CHICKEN FINGERS**

Mr. Hill stated this is a request for a restaurant on one lot on 1.2± acres located at the southeast corner of 15th Street and Alma Drive. Zoned Corridor Commercial. Neighborhood #66. 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 Coleman made a motion to approve the item as submitted. Commissioner Norton seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING
4/REPLAT: TRINITY PRESBYTERIAN CHURCH ADDITION, BLOCK A, LOTS 2R,
4R, & 5
APPLICANT: RBN HEDGE INVESTMENTS, LTD.**

Mr. Hill stated this is a request for a medical office and day care center on two lots and one vacant lot on 9.3± acres located on the north side of Hedgcoxe Road, and the west side of Ohio Drive. Zoned Planned Development-159-General Office/Preston Road Overlay District. 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, 1st Vice Chair Downs made a motion to approve the item as submitted. Commissioner Balda seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 12 - PUBLIC HEARING
60/REPLAT: MENDENHALL ADDITION, BLOCK 1, LOT 1R
APPLICANT: PLANO INDEPENDENT SCHOOL DISTRICT**

Ms. Munyaradzi stated this is a request for a public primary school on 8.8± acres located at the northwest corner of N Avenue and 18th Street. Zoned Single-Family Residence-7. Neighborhood #60. 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 Coleman made a motion to approve the item as submitted. Commissioner Dry seconded the motion, which passed 8-0.

AGENDA ITEM NO. 13 - PUBLIC HEARING

8/REPLAT: THE TOWN HOMES AT LEGACY TOWN CENTER, PHASE FOUR, BLOCK A, LOTS 16R-18R, 19XR, & 20XR, & BLOCK B, LOTS 2R-4R, 5XR, 6R-9R, & 26XR

APPLICANT: D.R. HORTON-TEXAS, LTD./THE TOWN HOMES IV AT LEGACY TOWN CENTER HOME OWNERS ASSOCIATION

Ms. Munyaradzi stated this is a request for 10 Single-Family Residence Attached lots and four open space lots on 0.4± acre located at the southwest corner of Baltic Boulevard and Parkwood Boulevard. Zoned Planned Development-65-Central Business-1/Dallas North Tollway Overlay District. Neighborhood #8. 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, Chairman Caso made a motion to approve the item as submitted. Commissioner Smith seconded the motion, which passed 8-0.

END OF PUBLIC HEARINGS

AGENDA ITEM NO. 14 - ITEMS FOR FUTURE DISCUSSION

The Commission had no items they wished to discuss.

There being no further discussion, Chairman Caso adjourned the meeting at 10:20 p.m.

Planning & Zoning Commissioner

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