

**PLANNING & ZONING COMMISSION**  
**October 3, 2011**

**COMMISSIONERS PRESENT**

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

**COMMISSIONERS ABSENT**

Doug Hazelbaker

**STAFF PRESENT**

Tina Firgens, Planning Manager  
Kate Perry, Sr. Planner  
Bester Munyaradzi, Planner  
Paige Mims, Assistant City Attorney  
Dee Sarver, Sr. Planning Technician  
Doris Carter, Sr. Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Caso at 7:00 p.m., Monday, October 3, 2011.

First Vice Chair Downs made a motion to approve the agenda as presented. Second Vice Chair Coleman seconded the motion, which passed 7-0.

Second Vice Chair Coleman made a motion to approve the minutes of the September 19, 2011, Planning & Zoning Commission meeting. First Vice Chair Downs seconded the motion, which passed 7-0.

**PUBLIC HEARINGS**

**AGENDA ITEM NO. 5 - PUBLIC HEARING**  
**ZONING CASE 2011-14**  
**APPLICANT: CENCOR REALTY SERVICES**

Kate Perry, Sr. Planner, stated this is a request to amend Planned Development-185-Regional Commercial on 14.8± acres located at the northeast corner of Dallas North Tollway and Parker Road to modify the development standards and uses of the district. Zoned Planned Development-185-Regional Commercial/Dallas North Tollway Overlay District. Tabled June 6, 2011, July 5, 2011, August 1, 2011, and September 6, 2011.

First Vice Chair Downs made a motion to remove the item from the table. Commissioner Norton seconded the motion, which passed 7-0. Staff recommended that the Planning & Zoning Commission accept the applicant's request to table this item until the October 17, 2011 meeting.

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 accept the applicant's request to table this item until the October 17, 2011 meeting. Commissioner Dry seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 6 - PUBLIC HEARING  
ZONING CASE 2011-17  
APPLICANT: CITY OF PLANO**

Ms. Perry stated this is a request to amend Subsection 3.105 (Private Clubs) of Section 3.100 (Supplementary Regulations for Principal Permitted Uses and Specific Uses) of Article 3 (Supplementary Regulations) and related sections of the Zoning Ordinance regarding minimum distance separation requirements from certain uses and private clubs. Staff recommended that the Planning & Zoning Commission accept staff's request to table this item until the November 7, 2011 meeting.

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 accept staff's request to table this item until the November 7, 2011 meeting. Commissioner Norton seconded the motion, which passed 7-0.

Agenda Item Nos. 7A and 7B were presented together.

**AGENDA ITEM NO. 7A - PUBLIC HEARING  
ZONING CASE 2011-27  
APPLICANT: LINCOLN PROPERTY COMPANY**

Bester Munyaradzi, Planner, stated this is a request to rezone 108.2± acres located at the southwest corner of State Highway 121 and Preston Road **from** Commercial Employment **to** Planned Development-Commercial Employment. Zoned Commercial Employment/State Highway 121 and Preston Road Overlay Districts. There were no letters received in favor of or against this item. Staff recommended denial.

The public hearing was opened. Larry Good, representing the applicant, gave a presentation for the item. Robbie Robinson and Robert Miller, citizens of Plano, spoke in opposition to the item. Robert Dozier, Jeff Cartwright, and David Peddle, all of Lincoln Property Company, property owner, were available for questions and spoke in favor. The public hearing was closed.

After much discussion, Commissioner Norton made a motion to approve the item as submitted, except that the number of multifamily units shall be limited to a maximum of 800 units, and that a minimum of 350,000 sq. ft. of multistory office building(s) shall be provided within Tract 1. (Additions are shown as underlined text per the Commission's recommendation.)

### **Restrictions:**

The permitted uses and standards shall be in accordance with the existing Commercial Employment (CE) 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. Quasi-Public Streets
  - a. Quasi-public streets shall be provided throughout the district, consistent with as shown on the zoning exhibit.
  - b. Quasi-Public Streets Definition: Quasi-public streets are privately owned and maintained drives open to public access. A fire lane shall be located within all quasi-public streets. Lots may derive required street frontage from quasi-public streets and may be platted to the centerline of quasi-public streets.
3. Parking Regulations
  - a. The minimum required parking shall be as follows:
    - i. Multifamily - 1.5 spaces per unit
    - ii. All nonresidential uses: Parking requirements shall be determined as provided in Section 3.1100 (Off-Street Parking and Loading) of the Zoning Ordinance.
  - b. On-street parking adjacent to each lot may count toward the required parking for that lot and shall be permitted on both sides of quasi-public streets and fire lanes, except where prohibited for vehicular, fire, or pedestrian safety.
  - c. No parking is required for outdoor patio and sidewalk cafe/dining areas or other public seating areas except for freestanding restaurants.
4. Screening
  - a. Off-street loading docks and service areas for nonresidential uses may not be located adjacent to or across a quasi-public street from buildings containing residential uses unless the loading dock or service area is screened in accordance with the following:
    - i. Masonry screening walls with solid metal gates (in accordance with Section 3.1000)

- ii. Overhead doors if service area or loading dock is located internal to the building; or
  - iii. Any combination of the above.
5. Open space
  - a. A minimum of five acres of open space shall be required within the planned development district.
  - b. The open space shall be open to the public at all times
  - c. A minimum of two open space areas shall be provided in Tract 2 and each open space area shall not be less than 0.5 acre in area. A minimum of one open space area shall be provided in Tract 3 and this open space area shall not be less than 0.5 acre in area. In all tracts, the required open space areas shall not have a dimension less than 80 feet.
6. Signage
  - a. In addition to signs permitted by Section 3.1600 of the Zoning Ordinance, the following additional signs and/or revised sign definitions and standards are permissible.
    - i. Multi-Purpose Wall Signs
      - A multi-purpose wall sign is any sign mounted on the wall of a building which is used to identify shopping centers, retail districts, office districts, or commercial sites and may include a listing of occupants within the development being identified.
      - Multi-purpose wall signs are exempt from Subsections 3.1603 (1)(b) and (2)(f) of Section 3.1600.
      - A multi-purpose wall sign shall not be limited in height or width except that the sign shall be limited to 300 square feet in size.
      - A maximum of one multi-purpose wall sign may be mounted to a parking structure that has street frontage along State Highway 121 and/or Preston Road only, and the multi-purpose wall sign shall face State Highway 121 or Preston Road. A maximum of two multipurpose wall signs are allowed within the district.
    - ii. Directional Signs
      - A directional sign is any noncommercial sign, which directs the public to various locations, for instance, but not limited to, the retail, apartments, office or parking areas within the planned development district.
      - A directional sign may be a freestanding sign, a wall sign, a projecting sign, or a sign mounted to a vertical support. These signs shall not contain advertising and shall be specifically directional in nature.

- 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 four feet from the ground surface.

7. A maximum of 800 multifamily units shall be allowed within the district.

### **Specific Provisions of the Planned Development - Tract 1**

1. Uses: ~~Multifamily is prohibited.~~
  - a. Multifamily is prohibited
  - b. A minimum 350,000 sq. ft. of multistory office building(s) shall be provided within Tract 1.
2. Design Standards
  - a. Building Placement and Orientation: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb, except along quasi-public streets with a curve radius less than 250 feet from the centerline, which shall adhere to a minimum of 60%. Parking structures are exempt. Where easements are present, the buildings shall be built to the easement line.
  - b. Streetscape: Outdoor patio and sidewalk dining as well as other public seating areas are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
  - c. Landscaping
    - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements), Sections 4.800 (State Highway 121 Overlay District) and 4.500 (Preston Road Overlay District).
    - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five foot landscape edge shall be provided.
    - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
    - iv. Where service areas for nonresidential uses face Tract 2 and/or Tract 3, a minimum 10 foot landscape edge shall be provided including screening shrubbery and trees planted at an average rate of one tree per 50 linear feet of the landscape edge length. A minimum six-foot high (maximum eight-foot high) ornamental fence may be provided within this required landscape edge.
  - d. Maximum Lot Coverage: 80%

## **Specific Provisions of the Planned Development - Tract 2**

### 1. Uses

- a. Tract 2 must be developed using the standards required by the planned development district for multifamily development. However, Tract 2 may be developed solely with nonresidential uses in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay District regulations contained within the Zoning Ordinance. The initial development for Tract 2 will determine the standards to be used for the remainder of the property with Tract 2.
- b. Retail, restaurant, office, and live/work uses may be allowed on the ground floor of residential buildings only, and the ground floor shall be designed to accommodate nonresidential uses with a minimum floor to ceiling height of 12 feet; however, the ground floor may be used for residential uses.
- c. Multifamily is a permitted use by right within Tract 2.

### 2. Design Standards

- a. Building Placement and Orientation Along Quasi-Public Streets: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Streetscape
  - i. Outdoor patio and sidewalk dining, as well as other public seating areas, are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.
  - ii. Along quasi-public streets, sidewalks with a minimum width of six feet shall be placed adjacent to the back of curb except when landscape areas are provided.
- c. Landscaping
  - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements)
  - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five-foot landscape edge shall be provided.
  - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
- d. Maximum Lot Coverage: 80%

### 3. Multifamily Design Standards

- a. Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet

- and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Multifamily development shall be exempt from the supplementary regulations of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).
  - c. Minimum Floor Area per Dwelling Unit: 500 square feet.
  - d. Minimum Rear and Side Yard Setbacks: none.
  - e. Quasi-public streets and required open space shall be excluded from density calculations.
  - f. Maximum Density: 65 units per acre
  - g. Minimum Density: 33 units per acre
  - h. Maximum Lot Coverage: None.

### **Specific Provisions of the Planned Development - Tract 3**

#### 1. Uses

- a. Tract 3 must be developed using the standards required by the planned development district for multifamily development. However, Tract 3 may be developed solely with nonresidential uses in accordance with the CE zoning district and the State Highway 121 and Preston Road Overlay Districts' regulations contained within the Zoning Ordinance. The initial development for Tract 3 will determine the standards to be used for the remainder of the property with Tract 3.
- b. Multifamily is a permitted use by right within Tract 3. Tract 3 may be developed as multifamily only if Tract 2 is also developed as multifamily. Otherwise Tract 3 shall be developed in accordance with the Commercial Employment (CE) zoning district.
- c. Retail, restaurant, office, and live/work uses may be allowed on the ground floor of residential buildings only, and the ground floor shall be designed to accommodate nonresidential uses with a minimum floor to ceiling height of 12 feet; however, the ground floor may be used for residential uses.

#### 2. Design Standards

- a. Building Placement and Orientation Along Quasi-Public Streets: Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
- b. Streetscape
  - i. Outdoor patio and sidewalk dining as well as other public seating areas are permitted within the quasi-public street easements provided minimum six-foot accessible pathways are maintained.

- ii. Along quasi-public streets, sidewalks with a minimum width of six feet shall be placed adjacent to the back of curb except when landscape areas are provided.
  - c. Landscaping
    - i. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscape Requirements)
    - ii. No landscape edge is required along quasi-public streets, except for where surface parking lots abut quasi-public streets, where a minimum five-foot landscape edge shall be provided.
    - iii. Street trees shall be provided at a rate of a minimum of one tree per 60 linear feet of street along all quasi-public streets.
  - d. Maximum Lot Coverage: 80%.
3. Multifamily Design Standards
- a. Buildings fronting quasi-public streets shall be constructed such that a minimum of 75% of the facade shall be located between a minimum of 15 feet and a maximum of 25 feet from the back of curb. Where easements are present, the buildings shall be built to the easement line.
  - b. Multifamily development shall be exempt from the supplementary regulations of Subsections 3.104 (Multifamily Residence) and 3.117 (Usable Open Space).
  - c. The Minimum Floor Area per Dwelling Unit: 500 square feet.
  - d. Minimum Rear and Side Yard Setbacks: none
  - e. Quasi-public streets and required open space shall be excluded from density calculations.
  - f. Maximum Density: 65 units per acre
  - g. Minimum Density: 33 units per acre
  - h. Maximum Lot Coverage: None

Chairman Caso seconded the motion, which passed 5-2.

The Commissioners voting in opposition to the motion believed that the project as designed is not a true mixed-use project and that it has the potential to be designed better. The Commissioners prefer the project have higher residential densities, less large surface parking lots, improved walk-ability, and more property being developed as buildings.

**AGENDA ITEM NO. 7B - CONCEPT PLAN  
8/VILLAGE 121 ADDITION, BLOCK 1, LOT 1  
APPLICANT: LINCOLN PROPERTY COMPANY**

Ms. Munyaradzi stated this is retail, restaurant, office, and multifamily on one lot on 84.1± acres located at the southwest corner of State Highway 121 and Preston Road. Zoned Commercial Employment/State Highway 121 Overlay District. Neighborhood #8. Staff recommended denial.

After brief discussion, Commissioner Norton made a motion to approve the item subject to City Council approval of Zoning Case 2011-27. Commissioner Balda seconded the motion, which passed 5-2. The Commissioners voting in opposition to the motion did not support companion Zoning Case 2011-27.

**AGENDA ITEM NO. 8 - PUBLIC HEARING  
4/PRELIMINARY REPLAT: TRINITY PRESBYTERIAN CHURCH ADDITION,  
BLOCK A, LOT 5R  
APPLICANT: GARY FANG**

Ms. Perry stated this is a day care center on one lot on 1.4± 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. Staff recommended approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

The public hearing was opened. Michael Peebles, representing the applicant, was available for questions. 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 Dry seconded the motion, which passed 7-0.

**END OF PUBLIC HEARINGS**

**AGENDA ITEM NO. 9 - ITEMS FOR FUTURE DISCUSSION**

Commissioner Dry requested an updated copy of the Commission's Work Program be included in the Commission's next packet.

There being no further discussion, Chairman Caso adjourned the meeting at 8:42 p.m.

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Planning & Zoning Commissioner

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