

PLANNING & ZONING COMMISSION
October 17, 2011

COMMISSIONERS PRESENT

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

COMMISSIONERS PRESENT

Michael Coleman, 2nd Vice Chair

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, October 17, 2011.

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

First Vice Chair Downs made a motion to approve the minutes of the October 3, 2011, Planning & Zoning Commission meeting as submitted. Commissioner Norton seconded the motion, which passed 7-0.

Commissioner Norton requested Agenda Item 5h be pulled for individual consideration.

First Vice Chair Downs made a motion to approve the remaining consent agenda as submitted. Commissioner Norton seconded the motion, which passed 7-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - PRELIMINARY SITE PLAN 8/CAPITAL ONE ADDITION, BLOCK 1, LOT 4 APPLICANT: CAPITAL ONE NATIONAL ASSOCIATION

General office on one lot on 23.5± acres located at the southeast corner of Headquarters Drive and Dominion Parkway. Zoned Commercial Employment. Neighborhood #8.

Approved as submitted.

AGENDA ITEM NO. 5B - REVISED CONVEYANCE PLAT 8/CAPITAL ONE ADDITION, BLOCK 1, LOT 4 APPLICANT: CAPITAL ONE NATIONAL ASSOCIATION

One conveyance lot on 23.5± acres located at the southeast corner of Headquarters Drive and Dominion Parkway. Zoned Commercial Employment. Neighborhood #8.

Approved as submitted.

AGENDA ITEM NO. 5C - PRELIMINARY SITE PLAN 15/ERICSSON VILLAGE ADDITION, BLOCK A, LOT 2 APPLICANT: ERICSSON

General office on one lot on 19.8± acres located at the northwest corner of Tennyson Parkway and Communications Parkway. Zoned Commercial Employment. Neighborhood #15.

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

AGENDA ITEM NO. 5D - PRELIMINARY SITE PLAN 8/MED-ASSETS, BLOCK 1, LOT 1 APPLICANT: WEST PLANO LAND COMPANY, BY TCC WEST PLANO GP, INC.

General office on one lot on 19.0± acres located on the north side of Legacy Drive, approximately 1,000± feet east of Parkwood Boulevard. Zoned Commercial Employment. Neighborhood #8.

Approved as submitted.

**AGENDA ITEM NO. 5E - PRELIMINARY PLAT
8/LEGACY TOWN CENTER (NORTH), BLOCK C, LOT 7
APPLICANT: HEADY INVESTMENTS FOR BLUE HORSESHOW LTD.**

General office and bank on one lot on 4.9± acres located at the southeast corner of Dallas North Tollway and Headquarters Drive. Zoned Planned Development-65-Central Business-1/Dallas North Tollway Overlay District. Neighborhood #8.

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

**AGENDA ITEM NO. 5F - FINAL PLAT
40/PARK PLACE CENTER, BLOCK A, LOT 9
APPLICANT: PLANO DEVELOPMENT, L.P. C/O URBHNS COMPANIES, INC.**

Day care center on one lot on 1.6± acres located on the south side of Plano Parkway, 1,280± feet east of Midway Road. Zoned Planned Development-112-Retail. Neighborhood #40.

Approved as submitted.

**AGENDA ITEM NO. 5G - FINAL PLAT
27/AVIGNON WINDHAVEN PHASE 3
APPLICANT: ACRES OF SUNSHINE LTD. & HAGGARD ENTERPRISES LIMITED**

78 Single-Family Residence-6 and eight open space lots on 32.5± acres located generally at the northwest corner of Windhaven Parkway and Georgette Drive. Zoned Planned Development-154-Single-Family Residence-6. Neighborhood #27.

Approved as submitted.

END OF CONSENT AGENDA

ITEMS FOR INDIVIDUAL CONSIDERATION

**AGENDA ITEM NO. 5H - REVISED SITE PLAN
67/EASTSIDE 14TH STREET ADDITION, BLOCK A, LOTS 1 & 2
APPLICANT: EASTSIDE 14TH STREET**

Bester Munyaradzi, Planner, stated this is a request for retail, restaurant, and office on two lots on 0.5± acre located at the southeast corner of J Avenue and 14th Street. Zoned Downtown Business/Government. Neighborhood #67. Staff recommended approval as submitted.

After a brief discussion, Commissioner Dry made a motion to approve the item as submitted. First Vice Chair Downs seconded the motion, which passed 7-0.

END OF ITEMS FOR INDIVIDUAL CONSIDERATION

PUBLIC HEARINGS

Eric Hill, Planner, requested that agenda items 6A and 6B be presented together.

AGENDA ITEM NO. 6A - PUBLIC HEARING ZONING CASE 2011-14 APPLICANT: CENCOR REALTY SERVICES

Mr. Hill stated that the item had been tabled June 6, 2011, July 5, 2011, August 1, 2011, September 6, 2011, and October 3, 2011, and needed to be removed from the table. First Vice Chair Downs made a motion to remove the item from the table. Commissioner Smith seconded the motion, which passed 7-0

Mr. Hill 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 of the district. Zoned Planned Development-185-Regional Commercial/Dallas North Tollway Overlay District. Staff recommended approval as follows:

PROPOSED PD-185-RC AMENDMENTS

Proposed additions are indicated by underlined text; deletions are indicated by strikethrough text.

Restrictions:

The permitted uses and standards shall be in accordance with the Regional Commercial (RC) zoning district unless otherwise specified herein.

General Provisions of the Planned Development

1. The zoning exhibit shall be adopted as part of the ordinance.

- ~~4.~~ 2. A maximum of 265 multifamily residential dwelling units shall be allowed by right within Tract 1. Multifamily residential is prohibited within Tracts 2 and 3.

- ~~2.~~ 3. Site Design
 - a. The district shall have a central north/south pedestrian-oriented private roadway that runs from Parker Rd. to the existing east/west fire lane of the regional theater property to the north. The private roadway shall have diagonal or 90° on-street parking and sidewalks on both sides of the roadway. The minimum width of the sidewalks shall be ~~22~~ 12 feet. The sidewalks may be used for outdoor eating areas, outdoor display, and other activities commonly associated with a pedestrian-oriented development, if a minimum six feet sidewalk clearance and/or distance to curb line of a ~~street~~ or public way of five feet the private roadway is maintained.

- ~~b. First floor uses shall be nonresidential except for lobbies for residential uses which may be on the first floor. Residential dwelling units shall be located on second or higher floors.~~
- ~~c. Building Materials: First floor exterior elevations of buildings and parking structures shall comply with the building material requirements of the RC zoning district. Second floor and higher exterior elevations shall comply with the building material standards except that specified materials shall only be required on 60% of the facade elevation. Interior elevations concealed by buildings or parking garages shall be exempt from material standards but shall be consistent in color and finish with the rest of the building or parking structure. Elevations of parking garages that face public streets, the north/south pedestrian-oriented private roadway, and the east/west fire lane into the regional theater shall comply with the building material requirements of the RC zoning district.~~

4. Trash collection facilities shall be exempt from the minimum distance requirements from rights-of-way of Type C and above thoroughfares as specified in Section 2.824 (Regional Commercial) Subsection 6 (a) (Special District Requirements).

~~3.~~ 5. Area, Yard, and Bulk Requirements

- ~~a. Minimum Building Height: two story (30 feet) for buildings that front along the north/south pedestrian-oriented private roadway and along the east/west fire lane of the regional theater property to the north within Tracts 1 and 3.~~
- ~~b. Maximum Building Height: eight story (120 feet) for hotel use; six story (100 feet) for all other structures other than parking structures garages; 52 feet for parking structures garages with no maximum number of levels. (The parking structures garages shall be permitted to have levels of parking over and above retail, surface parking, or other permitted uses on the ground level.) Visual barriers shall be installed to cover any openings between parking levels of a parking structure for openings that both (i) face a residential use east of Parkwood Blvd. directly across from the property and (ii) are located above the third level of the parking structure. Visual barriers measuring at least four feet in height shall extend above the parapet walls of the top levels of parking structure facades that both (i) face a residential use east of Parkwood Blvd. directly across from the property and (ii) are located above the third level of the parking structure.)~~
- c. Maximum Building Setback: Buildings fronting the north/south pedestrian-oriented private roadway and the existing east/west fire lane of the regional theater shall be constructed such that a minimum of 60% of the facade is located within 20 feet from the back of curb unless restricted by easements. Where easements are present, 60% of the facade must be built to the easement line.
- d. Setbacks and Height Adjacent to Residential from Parkwood Blvd.: Setbacks from Parkwood Blvd., adjacent to residential uses shall be a Minimum of 50 feet as measured from the property line or three times the

height, minus 90 feet as measured from the nearest residential district boundary line, whichever is more restrictive. ~~Conversely, the allowed height of a main building, parking structure, or accessory building, at a certain setback, would be equal to one-third the setback plus 30 feet. Structures with hotel uses are exempt from this additional setback adjacent to residential uses.~~

4. ~~6.~~ Landscaping

a. Except as stated below, landscaping shall be provided per Section 3.1200 (Landscaping Requirements) and Section 4.600 (Dallas North Tollway Overlay District):

- i. ~~The required 30-foot landscape edge along the Dallas North Tollway frontage road and Parkwood Blvd. may be reduced to ten feet in width, and the required 30-foot landscape edge along Parkwood Blvd. may be reduced to eight feet in width provided (i) Parkwood Blvd. commencing at a point no less than 50 feet south of the northeastern entrance into the property from Parkwood Blvd. and extending southward along the Parkwood Blvd. right-of-way to a point no less than 50 feet north of the intersection of Parker Rd. and Parkwood Blvd. and (ii) along the Dallas North Tollway frontage road commencing at a point no less than 100 feet south of the northwestern entrance into the property from the Dallas North Tollway frontage road and extending southward along the Dallas North Tollway frontage road to a point no less than 50 feet north of the intersection of Parker Rd. and the Dallas North Tollway frontage road. A continuous meandering sidewalk interspersed with plant materials and berms as set forth in Subsection 4.604(3) shall not be required.~~
- ii. Street trees shall be provided at a rate of one tree per 50 linear feet of street along all public streets and on both sides of the north/south pedestrian-oriented private roadway. The number of trees provided shall be equal to one tree per 40 lineal feet per side of the north/south pedestrian-oriented private roadway. Street trees may be placed in tree islands, between the curb and the sidewalk, or in the landscape edge. There is no minimum or maximum spacing between trees.
- iii. ~~All other landscaping shall comply with Section 3.1200 (Landscaping Requirements) and Section 4.600 (Dallas North Tollway Overlay District).~~

5. ~~7.~~ Parking

a. Unless listed below, the minimum required parking within this planned development shall comply with Section 3.1100 (Off-street Parking and Loading). The minimum required parking for multifamily uses and nonresidential uses other than hotels shall be provided as follows:

- i. Multifamily Use: 4 One space per bedroom

- ii. Nonresidential Uses: 4 One space per 250 square feet of floor area
 - b. Total required parking shall be computed on a district-wide basis regardless of any phase/property lines. Parking stall and drive aisle dimensions shall comply with Section 3.1100 (Off-street Parking and Loading).
8. Building Materials
- a. Building Materials: First floor exterior elevations of buildings and parking garages shall comply with the building material requirements of the RC zoning district. Second floor and higher exterior elevations shall comply with the building material standards except that specified materials shall only be required on 60% of the facade elevation. Interior elevations concealed by buildings or parking garages shall be exempt from material standards but shall be consistent in color and finish with the rest of the building or parking garage.
 - b. Elevations of parking garages that face public streets, the north/south pedestrian-oriented private roadway, and the existing east/west fire lane ~~into~~ of the regional theater, shall comply with the building material requirements of the RC zoning district.
 - c. Visual barriers shall be installed to cover any openings between parking levels of a parking structure garage for openings that both (i) face a residential use east of Parkwood Blvd. directly across from the property and (ii) are located above the third level of the parking structure garage. Visual barriers measuring at least four feet in height shall extend above the parapet walls of the top levels of parking garage facades that both (i) face a residential use east of Parkwood Blvd. directly across from the property and (ii) are located above the third level of the parking structure garage.
 - d. Buildings with first floor nonresidential uses that front the north/south pedestrian-oriented private roadway, except for parking garages, shall have a minimum of 40% of the ground floor facade comprised of window area. For the purposes of this standard, ground floor is defined as that portion of a building from the street-level finish floor elevation and extending 12.5 feet above the street-level finish floor elevation.
9. Signage
- a. For building facades and sidewalks/parkways fronting the north/south pedestrian-oriented private roadway and building facades fronting the existing east/west fire lane of the regional theater property to the north allowable signs must comply with Subsection 3.1605 (Downtown Sign District).
 - b. All other signage must comply with Section 3.1600 (Sign Regulations) and Section 4.600 (Dallas North Tollway Overlay District).

There were no letters received in support or opposition of the item.

David Palmer, applicant, 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 Norton made a motion to approve the item as submitted. Commissioner Hazelbaker seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 6B - REVISED PRELIMINARY SITE PLAN
30/TINSELTOWN ADDITION, BLOCK A, LOT 1
APPLICANT: CENCOR REALTY SERVICES**

Mr. Hill stated this is a request for multifamily, restaurant, retail, and office development on one lot on 14.8± acres located at the northeast corner of Dallas North Tollway and Parker Road. Zoned Planned Development-185-Regional Commercial/Dallas North Tollway Overlay District. Neighborhood #30. Staff recommended approval as submitted contingent upon approval of Zoning case 2011-14.

There being no discussion, 1st Vice Chair Downs made a motion to approve the item as submitted. Commissioner Smith seconded the motion, which passed 7-0. Kate Perry, Sr. Planner, requested that Agenda Items 7A and 7B be presented together.

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2011-15
APPLICANT: FAIRVIEW FARM LAND CO. LTD.**

Ms. Perry stated the item was tabled at the September 19, 2011, Planning & Zoning Commission meeting and needed to be removed from the table.

Commissioner Hazelbaker made a motion to remove the item from the table. First Vice Chair Downs seconded the motion, which passed 7-0.

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 and Planned Development-Single-Family Residence Attached. Zoned Agricultural. There were two letters received in support of the item and 121 letters received in opposition of the item. Staff recommended approval as submitted as follows:

Planned Development-Single-Family Residence-6/Single-Family Residence-7/Patio Home

Location: NE corner of Park Blvd. and Custer Rd.
Acreage: 108.2±

Restrictions:

General Provisions of the Planned Development District:

1. The exhibits attached hereto are adopted as part of this ordinance.

2. Maintenance of all open space, landscaping, detention areas, and common amenities shall be the responsibility of a homeowners association. This responsibility shall include any landscaping improvements within the Baffin Bay Dr. right-of-way south of the curb line, and within the Country Place Dr. right of way west of the curb line. The homeowners association's documents shall be approved by the City Attorney.
3. A private recreation facility is an additional allowed use by right within the district.
4. Streets:

Baffin Bay Drive shall be constructed as shown in Exhibit A.
5. Landscaping and Open Space:
 - a. A combined minimum of eight acres of open space shall be provided within the district and shall be provided in accordance with Subsection 3.117 (Useable Open Space), except as provided herein.
 - b. All residential lots within Tract C must be located within 1,200 feet of required usable open space as measured along a street.
 - c. Open space provided shall be shown on an approved concept plan.
 - d. A minimum 15-foot landscape buffer dedicated to a homeowners association shall be provided along Park Blvd.and Custer Rd.
6. Screening:
 - a. A maximum eight-foot masonry screening wall shall be constructed along the rear or side lot line of lots adjacent to Custer Rd., Park Blvd., and Baffin Bay Dr. The wall shall be separated from the right-of-way by a minimum 15-foot landscape buffer to be maintained by the homeowners association. The landscaping shall be provided on the street side of the wall. The wall shall be located in a lot dedicated to the homeowners association.
 - b. A six-foot ornamental metal fence, which is at least 50% open in construction, and shrubbery shall be installed/constructed when street rights-of-way are provided internal to the residential subdivision that are adjacent to either Baffin Bay Dr. or Country Place Dr. rights-of-way. The fence shall be separated from the right-of-way for Baffin Bay Dr. and Country Place Dr. by a minimum ten-foot landscape buffer dedicated to a homeowners association. Where the fence extends to single-family residential lots, the six-foot ornamental fence may extend across the front yard building line. A minimum of two pedestrian access points within the ornamental fence shall be provided to the sidewalk along Baffin Bay Dr. and a minimum of one pedestrian access point shall be provided to the sidewalk along Country Place Dr.

Residential Development Standards

1. Standards relating to SF-6 (Tract A)

- a. Uses and development standards shall be in accordance with the SF-6 district except as provided in this subsection.
- b. Minimum Front Yard (for front entry): 15 feet. Garages shall be set back a minimum of 20 feet from the front property lines.
- c. Minimum Rear Yard: 15 feet
- d. Minimum Side Yard: six feet, except as provided in Section 3.600, Side Yard Regulations
- e. Minimum Side Yard: -- Corner Lot: 15 feet on street side, except as provided in Section 3.600, Side Yard Regulations
- f. Maximum Coverage: 55%

2. Standards relating to SF-7 (Tract B)

- a. Uses and development standards shall be in accordance with the SF-7 district except as provided in this subsection.
- b. Minimum Front Yard: 25 feet
- c. Minimum Rear Yard: 10 feet, except as provided in Section 3.700, Rear Yard Regulations
- d. Minimum Side Yard: 7 feet, except as provided in Section 3.600, Side Yard Regulations
- e. Minimum Side Yard: -- Corner Lot: 15 feet on street side, except as provided in Section 3.600, Side Yard Regulations
- f. Maximum Coverage: 55%

3. Standards relating to Patio Home (Tract C)

- a. Uses and development standards shall be in accordance with the PH district except as provided in this subsection.
- b. Maximum Lot Coverage: 65%

Planned Development- Single-Family Residence Attached

Location: NE corner of Park Blvd. and Custer Rd.
Acreage: 11.0±

General Provisions of the Planned Development District:

1. Maintenance of all open space, landscaping, detention areas and common amenities shall be the responsibility of a homeowners association. The homeowners association's documents shall be approved by the City Attorney.
2. All residential lots within the district must be located within 1,200 feet of required usable open space as measured along a street.
3. Streets:
 - a. The north and east sides of the district shall be bounded by streets with a minimum 60-foot right-of-way.
 - b. Streets shall be constructed as shown in Exhibit B.

4. Landscaping

A minimum 15-foot landscape edge shall be provided along Park Blvd. and Custer Rd.

Residential Development Standards

Standards relating to SF-A

- a. Uses and development standards shall be in accordance with the SF-A district except as provided in this subsection.
- b. Maximum Density: 25 dwelling units per acre
- c. Minimum Lot Width: 20 feet
- d. Minimum Lot Depth: 50 feet
- e. Front Yard Setbacks:
 - i. Minimum Setback: 11 feet from back of curb to building
 - ii. Maximum Setback: 17 feet from back of curb to building
- f. Minimum Lot Area: 1,100 square feet
- g. Maximum Lot Coverage: 95%
- h. Maximum Rear Yard: five feet
- i. Minimum Side Yard:
 - i. Interior Side Yard: None

- ii. Exterior Side Yard (Corner Lot): Shall be treated the same as front yards
- j. Buildings must be separated by a minimum distance of ten feet.
- k. Maximum Height: two-story (35 feet)
- l. Maximum Building Length: 200 feet
- m. Maximum Number of Units per Building: ten
- n. Each dwelling unit shall have a garage with a minimum of two parking spaces. Garage entrances shall be allowed only from an alley. The distance from the garage to the travel lane of the alley shall be a maximum of five feet in length or shall be a minimum of 20 feet in length. The elimination of the garage space, by enclosing the garage with a stationary wall, shall be prohibited.
- o. Street, Sidewalk and Streetscape Regulations
 - i. Street trees shall be uniformly placed in planting beds within six feet of the back-of-curb, a maximum of 90 feet on center.
 - ii. Sidewalks shall be a minimum unobstructed width of six feet and shall be placed along the street frontage. Sidewalks are in addition to and shall be placed adjacent to the street tree area.
 - iii. Stoops and landscaped areas adjacent to the building may extend a maximum distance of six feet into the areas between the front facade of the building and the back-of-curb provided that a minimum six-foot unobstructed sidewalk is maintained.

Matt Alexander, representing the applicant, was available to answer any questions.

The public hearing was opened. Beau Chambo, Bob Manaois, Rory Fishcher, Kent Harrington, Kevin Atkinson, Rick Henn, and John Willard, citizens of Plano, spoke in opposition of the item. The public hearing was closed.

After much discussion, 1st Vice Chair Downs made a motion to approve the item as submitted. Chairman Caso seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 7B - 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, 134 Single-Family Residence-7 lots, 160 Patio Home lots, 125 Single-Family Residence Attached lots, and 17 open space lots on 119.2± acres located at the northeast corner of Custer Road and Park Boulevard. Zoned Agricultural. Neighborhood #46. Staff

recommended approval as submitted contingent upon approval of Zoning Case 2011-15.

First Vice Chair Downs made a motion to approve the item as submitted. Commissioner Balda seconded the motion, which passed 7-0.

Mr. Hill requested that Agenda Items No. 8A and 8B be presented together.

**AGENDA ITEM NO. 8A - PUBLIC HEARING
ZONING CASE 2011-25
APPLICANT: CROW-BILLINGSLEY LTD. NO. 10**

Mr. Hill stated this is a request to rezone 86.2± acres located on the west side of Coit Road, 30± feet north of Mapleshade Lane **from** Corridor Commercial and Light Industrial-1 **to** Planned Development-Corridor Commercial. Zoned Corridor Commercial and Light Industrial-1/190 Tollway/Plano Parkway Overlay District. Staff recommended denial. There were two letters received in support of the item and three letters received in opposition of the item.

Kirk Williams, representing the applicant, and Lucy Billingsley, applicant, were available to answer any questions.

The public hearing was opened. Shirley Ogden, Bill Dahlstrom, and Robert Miller, citizens of Plano, spoke in opposition of the item. Henry Billingsley, applicant, gave a rebuttal and was available to answer any questions.

The public hearing was closed.

After much discussion, 1st Vice Chair Downs made a motion to table the item to the February 6, 2012, Planning & Zoning Commission meeting. Commissioner Balda seconded the motion, which passed 7-0. The Commission requested to study the corridor along the north side of State Highway 190 generally from Ohio Drive to Coit Road regarding appropriate land uses, access needs for properties, and studying the overall area comprehensively as a whole instead of evaluating individual properties.

**AGENDA ITEM NO. 8B - CONCEPT PLAN
71/COIT CROSSINGS ADDITION, BLOCK 1, LOTS 3R & 9
APPLICANT: CROW-BILLINGSLEY LTD. NO. 10**

Mr. Hill stated this is a request for multifamily, restaurant, and retail development on two lots on 86.2± acres located on the west side of Coit Road, 30± feet north of Mapleshade Lane. Zoned Light Industrial-1 & Corridor Commercial/190 Tollway/Plano Parkway Overlay District. Neighborhood #71. Staff recommended denial.

First Vice Chair Downs made a motion to table the item to the February 6, 2012, Planning & Zoning Commission meeting. Commissioner Balda seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 9 - PUBLIC HEARING
ZONING CASE 2011-29
APPLICANT: ROBERTA J. COSGROVE**

Ms. Munyaradzi stated this is a request for Specific Use Permit for Day Care Center (In-home) on 0.1± acre located at the northwest corner of Oakland Hills Drive and Norman Drive. Zoned Single-Family Residence-7. Staff recommended approval as submitted. There were six letters received in support of the item and no letters received in opposition of the item.

Kenneth Alexander, applicant, 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 much discussion, Commissioner Norton made a motion to deny the item. Commissioner Smith seconded the motion, which passed 4-3.

Commissioners voting against the motion believe this property is an appropriate location for an In-Home Day Care Center allowing a maximum of 12 children, given that there were letters received in support and none in opposition to the request. Additionally, the Commissioners believe that the requested use is a service needed within the community.

**AGENDA ITEM NO. 10 - PUBLIC HEARING
ZONING CASE 2011-30
APPLICANT: CITY OF PLANO**

Mr. Hill stated this is a request to amend Subsection 2.821 (BG - Downtown Business/Government) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance in order to modify the area, yard, and bulk requirements and other standards of the Downtown Business/Government district. Staff recommended approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

Amend Subsection 2.821 (BG - Downtown Business/Government) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) such portion of subsection to read as follows:

3. Area, Yard and Bulk Requirements

Maximum Height - Four story (except as noted in Other Height/Setback Requirements below).

Four stories of multifamily are permitted on a horizontal structural concrete podium above a single level at grade of structured parking, and/or nonresidential uses and/or flex space units (below grade parking is excluded). Flex space units are defined as a ground floor unit that may be occupied by a residential use, a nonresidential use, or both. Flex space units must have an individual exterior entrance and a minimum floor-

to-ceiling separation of nine feet. A flex-space unit must be constructed to accommodate nonresidential uses and may not be modified to prevent nonresidential occupancy.

The maximum height for parking structures shall be five levels at or above grade. Parking structures shall be obscured from view of streets and/or public ways designated as Type E or above on the city's Thoroughfare Plan, plus 15th Street by buildings of equal or greater height and/or special architectural and/or landscaping treatments approved in conjunction with a preliminary site plan or site plan.

5. Special District Requirements

- c. A nonconforming building may be reconstructed to its original setback if it does not exceed the maximum permitted setback.
- d. Minimum of two-thirds of the front facade of the building shall fall within the minimum and maximum setback unless restricted by easements. Where easements are present, two-thirds of the front facade of the building shall be built to the easement line.

e. First Floor Use

No building, excluding parking structures, in the area bounded by 14th Street on the south, ~~H Avenue~~ the DART right-of-way on the west, 16th Street on the north, and Municipal/L Avenue on the east, shall have more than 60% of its total linear frontage on major streets devoted to residential use.

g. Special Regulations for Multifamily Residences

- i. Minimum Floor Area per Dwelling Unit
 - 1. 400 square feet for efficiency units
 - 2. 475 square feet for one bedroom units
 - 3. 625 square feet for two bedroom units
 - 4. 150 square feet for each additional bedroom
- ii. Maximum Density: 100 dwelling units per acre
- iii. Minimum Density: 40 dwelling units per acre
- iv. No more than ~~230~~ 300 dwelling units may be located within any block bounded by streets, public ways, and/or railroad or transit rights-of-way.
- v. Usable open space requirements as specified in Subsection ~~3-104.4~~ 3.117 shall not apply.

- vi. The above requirements shall also apply to situations where only one or two units are included in a building.

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

After a brief discussion, Commissioner Hazelbaker made a motion to approve the item as submitted. Commissioner Norton seconded the motion, which passed 7-0.

AGENDA ITEM NO. 11 - PUBLIC HEARING
14/PRELIMINARY REPLAT: NORMANDY ESTATES, BLOCK G, LOTS 1R & 2R & BLOCK I, LOTS 1R-17R
APPLICANT: BENTLEY PREMIER BUILDERS, LLC

Ms. Munnyradzi stated this is a request for 17 Patio Home lots on 2.4± acres located at the southeast corner of Meadowlands Drive and Josephine Street and two Patio Home lots on 0.4± acre located at the southeast corner of Francesca Lane and Bourbon Street. Zoned Single-Family Residence Attached with Specific Use Permit #594 for Private Street Subdivision. Neighborhood #14. Staff recommended that the Planning & Zoning Commission accept staff's request to withdraw this preliminary replat.

First Vice Chair Downs made a motion to withdraw the item. Commissioner Dry seconded the motion, which passed 6-1.

Chairman Caso voted in opposition to the motion.

AGENDA ITEM NO. 12 - PUBLIC HEARING
55/REPLAT: REPUBLICBANK PRESTON NORTH MOTOR BANK, BLOCK A, LOT 1R
APPLICANT: WHISENANT/PLANO PARKWAY, LP

Bank and medical office on one lot on 1.0± acre located at the northwest corner of Plano Parkway and Burnham Drive. Zoned Planned Development-194-General Office/190 Tollway/Plano Parkway Overlay District. Neighborhood #55. 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 Smith made a motion to approve the item as submitted. First Vice Chair Downs seconded the motion, which passed 7-0.

END OF PUBLIC HEARINGS

**AGENDA ITEM NO. 13
NOMINATION OF 1ST AND 2ND VICE CHAIRS
APPLICANT: CITY OF PLANO**

Tina Firgens, Planning Manager, stated this is a request for nomination of the 1st and 2nd Vice Chairs.

First Vice Chair Downs nominated Commissioner Hazelbaker for 1st Vice Chair and Commissioner Balda for 2nd Vice Chair. Commissioner Smith seconded the nomination.

The nominations will be voted on at the December 5, 2011, Planning & Zoning Commission meeting.

**AGENDA NO. 14 - DISCUSSION & DIRECTION
PROPOSED AMENDMENTS TO THE PLANNING & ZONING COMMISSION'S
ADOPTED RULES AND PROCEDURES
APPLICANT: CITY OF PLANO**

Ms. Firgens stated this is a request for discussion and direction on proposed amendments to the Planning & Zoning Commission's Adopted Rules and Procedures.

After some discussion, it was agreed that amendments will be presented to the Commission at a future date.

**AGENDA NO. 15
REQUEST TO CALL A PUBLIC HEARING
APPLICANT: CITY OF PLANO**

Mr. Firgens stated this is a request to call a public hearing to amend the Zoning Ordinance concerning regulations for transit centers and transit stations.

Commissioner Norton made a motion to call a public hearing for this purpose. First Vice Chair Downs seconded the motion, which passed 7-0.

AGENDA ITEM NO. 16 - ITEMS FOR FUTURE DISCUSSION

Commissioner Smith requested a discussion be held to discuss landscaping requirements regarding water usage and conservation.

There being no further discussion, Chairman Caso adjourned the meeting at 10:14 p.m.

Planning & Zoning Commissioner

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