

PLANNING & ZONING COMMISSION
August 20, 2012

COMMISSIONERS PRESENT

Chris Caso, Chairman
Alan Smith, 2nd Vice Chair
Olufemi Adeoye
Michael Coleman
Douglas Cargo
David Downs
Tracey Dry

COMMISSIONERS ABSENT

Fred Balda, 1st Vice Chair

STAFF PRESENT

Phyllis Jarrell, Director of Planning
Tina Firgens, Planning Manager
Eric Hill, Sr. Planner
Bester Munyaradzi, Planner
Jon Hubach, Planner
Paige Mims, Deputy City Attorney
Dee Sarver, Sr. Planning Technician
Doris Carter, Senior Administrative Assistant
Shari Forbes, Technical Administrative Assistant

Chairman Caso called the meeting to order on Monday, August 20, 2012, at 7:00 p.m. in the Council Chamber of the Plano Municipal Center, 1520 K Avenue. A quorum was present.

Commissioner Adeoye led the Commission in the Pledge of Allegiance.

Commissioner Downs made a motion to approve the agenda as submitted. Commissioner Adeoye seconded the motion, which passed 7-0.

Commissioner Downs made a motion to approve the August 6, 2012, Planning & Zoning Commission meeting minutes with a correction to Agenda Item No. 5e. Second Vice Chair Smith seconded the motion, which passed 7-0.

COMMENTS OF PUBLIC INTEREST

Jay B. Jones, owner of an office building located at Central Expressway and Park Boulevard, spoke in opposition to the new construction of an automobile repair business located in front of his office building that had been previously approved by the Planning and Zoning Commission.

CONSENT AGENDA

Commissioner Coleman made a motion to approve the Consent Agenda as submitted. Second Vice Chair Smith seconded the motion, which passed 7-0.

AGENDA ITEM NO. 5A - REVISED SITE PLAN 39/PLANO/544 BUSINESS PARK ADDITION, BLOCK A, LOT 2 APPLICANT: FAEC HOLDINGS (TA), LLC

Hospital on one lot on 12.1± acres located on the west side of Marsh Lane, 425± feet south of Plano Parkway. Zoned Light Commercial. Neighborhood #39.

Approved as submitted.

AGENDA ITEM NO. 5B - PRELIMINARY PLAT 40/PARKWAY CENTRE, PHASE 5, BLOCK C, LOT 5 APPLICANT: PLANO SNF REALTY, LLC

Long-term care facility on one lot on 5.4± acres located on the east side of Communications Parkway, 500± feet north of Chapel Hill Boulevard. Zoned Regional Employment/Dallas North Tollway Overlay District with Specific Use Permit #608 for Long-term Care Facility. Neighborhood #40.

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

AGENDA ITEM NO. 5C - CONVEYANCE PLAT 31/TURNER HERITAGE ADDITION, BLOCK 1, LOTS 1, 2 & 3 APPLICANT: MARGARET E. TURNER

Three conveyance lots on 22.3± acres located at the southwest corner of Preston Road and Spring Creek Parkway. Zoned Planned Development-447-Retail/Multifamily Residence-2/Preston Road Overlay District. Neighborhood #31.

Approved as submitted.

AGENDA ITEM NO. 5D - PRELIMINARY PLAT 38/VILLAS OF PECAN CREEK APPLICANT: JEN TEXAS 1 LLC

99 Single-Family Residence-6 lots and one open space lot on 26.5± acres located at the northeast corner of Parker Road and Jupiter Road. Zoned Patio Home. Neighborhood #38.

Approved subject to:

1. Additions and/or alterations to the engineering plans as required by the Engineering Department.
2. Approval by the City Attorney and subsequent recordation at the County of the Declaration of Covenants, Conditions and Restrictions pertaining to the maintenance of the open space lots by the homeowners association, prior to approval of the final plat.

**AGENDA ITEM NO. 5E - PRELIMINARY SITE PLAN
1/THE LINCOLN AT TOWNE SQUARE ADDITION, BLOCK A, LOT 6R
APPLICANT: SATURN ASSET MANAGEMENT, LP**

Day care center on one lot on 1.1± acres located on the north side of Rasor Boulevard, 310± feet west of Ohio Drive. Zoned Planned Development-20-Mixed-Use/Preston Road Overlay District. Neighborhood #1.

Approved subject to a letter of approval from the property owner of The Lincoln at Towne Square, Block A, Lot 1 to allow the radius return to extend beyond the property line of Lot 6R.

END OF CONSENT AGENDA

PUBLIC HEARINGS

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2012-12
APPLICANT: RACETRAC**

Eric Hill, Senior Planner, stated this a request to amend Planned Development-374-Retail on 6.9± acres located at the northeast corner of Plano Parkway and Independence Parkway to modify the development standards of the district including amending or repealing the limitation on the hours of operation. Zoned Planned Development-374-Retail/190 Tollway/Plano Parkway Overlay District. This item was tabled March 19, 2012, April 16, 2012, and July 16, 2012.

Commissioner Coleman made a motion to remove the item from the table. Commissioner Dry seconded the motion, which passed 7-0.

The public hearing was opened. Tommy Mann, the project representative, spoke in support of this item and answered the Commissioners questions. Robert Miller and Ken Eaken spoke in opposition to the item. The public hearing was closed.

After some discussion, Commissioner Downs made a motion to approve the item as follows: (Proposed additions are indicated by underlined text; deletions are indicated by strikethrough text.)

Restrictions:

1. Maximum Square Footage: 118,701 square feet of building area
2. Maximum Retail: 100% - Neighborhood Support Retail.
In addition to those uses permitted in the Retail districts, the following uses shall be permitted:
 - Office - showroom/warehouse
 - Office - technical
 - Scientific and research labs
3. Truck docks for these uses shall be located at grade level.
4. Maximum Floor Area Ratio: 0.5:1
5. Maximum Floor Area Ratio on any Given Lot: 0.75:1
6. Maximum Lot Coverage: 40% (inclusive of parking structures)
7. Maximum Building Height: 2 story (36 feet) - all heights shall include mechanical/penthouse
8. Maximum Parking Structure Height: 2 levels above grade (20 feet)
9. Setback Requirements: 50 feet from north property line and 50 feet from Plano Pkwy.

The zoning granted above is granted subject to the following additional stipulations:

1. Regulatory provisions of the Zoning Ordinance pertaining to additional setbacks from residential zoning districts (Sections 3.500, 3.600, and 3.700) shall apply to this tract.
2. A study of Plano Pkwy., from Jupiter Rd. to Preston Rd., shall be conducted by the city to evaluate standards and plans for driveway spacing, median breaks, acceleration/deceleration lanes, signalization, and intersection design. The objective of the study is to enhance the parkway's capacity without adding additional through lanes. The cost of the study shall be borne by the petitioners for zoning. The closing of Longworth Dr. north of Plano Pkwy. shall be a major consideration in the Plano Parkway Study.
3. All landscape areas required by the Design Guidelines (referenced after PD-393-R/O-2) shall be irrigated by an underground, automatic sprinkler system.
4. All subsequently approved preliminary site plans and site plans for this tract shall conform to the Design Guidelines for the Plano Pkwy./S.H. 190 Corridor as adopted by the City Council and as placed by the owner as Restrictive Covenants on the tract binding both the current and future owners to such guidelines.
5. This tract shall be deed restricted to limit the hours of operation to 17 19 total hours, preferably ~~44:00 p.m.~~ 12:00 a.m. to 5:00 a.m. being ~~be~~ the closing closed hours.

6. No access to any tract shall be gained from the existing alley or alleys serving the residential area.
7. Truck docks and trash containers shall be to the interior of constructed buildings and at grade.
8. There will be no dedicated street adjacent and parallel to the residential district.
9. Parking structures shall be screened from view of the residential district through the use of natural screens.
10. Sodium vapor lights shall not be used for parking lots and other exterior lighting. All lighting shall meet the requirements of the Plano Lighting Ordinance.

Refer to Design Guidelines after PD-393-R/O-2 for additional stipulations.

Commissioner Dry seconded the motion, which passed 5-2. Commissioners Coleman and Adeoye voted in opposition to the motion because they wanted to leave the current restrictions in place with no modifications.

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2012-22
APPLICANT: MARGARET E. TURNER**

Agenda items 7A and 7B were presented together

Mr. Hill stated this is a request for a Specific Use Permit for Superstore on 19.3± acres located at the southwest corner of Preston Road and Spring Creek Parkway. Zoned Planned Development-447-Retail/Multifamily Residence-2/Preston Road Overlay District. Staff recommended approval as submitted.

The public hearing was opened. John Rose spoke in support of the item. The public hearing was closed.

There being no discussion, Commissioner Coleman made a motion to approve the item as submitted. Commissioner Cargo seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 7B - PRELIMINARY SITE PLAN/CONCEPT PLAN
31/TURNER HERITAGE ADDITION, BLOCK 1, LOTS 1, 2 & 3
APPLICANT: MARGARET E. TURNER**

Mr. Hill stated this is a superstore, convenience store with gas pumps, and retail on three lots on 22.3± acres located at the southwest corner of Preston Road and Spring Creek Parkway. Zoned Planned Development-447-Retail/Multifamily Residence-2/Preston Road Overlay District. Neighborhood #31. Staff recommended approval subject to City Council approval of Zoning Case 2012-22.

There being no discussion, Commissioner Coleman made a motion to approve the item as submitted. Commissioner Adeoye seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 8A - PUBLIC HEARING
ZONING CASE 2012-23
APPLICANT: UNIVERSITY OF TEXAS**

Agenda items 8A and 8B were presented together

Mr. Hill stated this is a request to rezone 4.5± acres located at the southeast corner of Silverglen Drive and Mapleshade Lane from Light Industrial-1 to Corridor Commercial and request for a Specific Use Permit for Assisted Living Facility. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District. Staff recommended approval as submitted.

The public hearing was opened. Hillary Donaldson, applicant representative, spoke in support of the item. The public hearing was closed.

After some discussion, Commissioner Downs made a motion to approve the item as submitted and that the Planning & Zoning Commission initiate a zoning case to rezone the remaining land south of the future extension of Mapleshade Lane from Light Industrial-1 to Corridor Commercial. . Commissioner Adeoye seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 8B - PRELIMINARY SITE PLAN
72/USMC-PLANO, BLOCK 1, LOT 1
APPLICANT: UNIVERSITY OF TEXAS**

Mr. Hill stated this is a request for an assisted living facility on one lot on 4.5± acres located at the southeast corner of Mapleshade Lane and Silverglen Drive. Zoned Light Industrial-1. Neighborhood #72. Staff recommended approval of this item subject to City Council approval of Zoning Case 2012-23.

After some discussion, Commissioner Downs made a motion to approve the item as submitted. Second Vice Chair Smith seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 9A - PUBLIC HEARING
ZONING CASE 2012-24
APPLICANT: BETTY MERRIMAN**

Agenda items 9A and 9B were presented together

John Hubach, Planner, stated this is a request to rezone 34.0± acres located north of the intersection of Jeker Drive and Merriman Drive **from** Agricultural and Estate Development **to** Single-Family Residence- 6. Zoned Agricultural and Estate Development. Staff recommended approval as submitted.

The public hearing was opened. Jim Douglas, the project representative, spoke in support of the item and answered questions for the Commissioners. Jim Grant, a resident of the area, asked several questions about traffic and drainage. The public hearing was closed.

After some discussion, Commissioner Adeoye made a motion to approve the item as submitted. Commissioner Downs seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 9B - CONCEPT PLAN
50/MERRIMAN ESTATES
APPLICANT: BETTY MERRIMAN**

Mr. Hubach stated this is a concept plan for 104 Single-Family Residence-6 lots, two open space lots, and park land on 34.0± acres located north of the intersection of Jeker Drive and Merriman Drive. Zoned Agricultural and Estate Development. Neighborhood #50. Staff recommended approval subject to City Council approval of Zoning Case 2012-24.

After some discussion, 2nd Vice Chair Smith made a motion to deny the item as submitted. Commissioner Cargo seconded the motion. Paige Mims, City Attorney, and Phyllis Jarrell, Planning Director, stated the Commission had to give a reason for the denial based on the Subdivision Ordinance regulations. The motion to deny failed 2-5. Chairman Caso and Commissioners Dry, Downs, Coleman, and Adeoye voted in opposition to the motion. Chairman Caso entertained a motion to approve the item. Commissioner Adeoye made a motion to approve the item as submitted and Commissioner Downs seconded the motion, which passed 4-3. Second Vice Chair Smith and Commissioners Dry and Cargo voted in opposition to the motion.

**AGENDA ITEM NO. 10 - PUBLIC HEARING
ZONING CASE 2012-25
APPLICANT: DALE R. BURTON**

Bester Munyaradzi, Planner, stated this is a request to rezone 19.7± acres from Planned Development-202-Research/Technology Center to Single-Family Residence-6 located on the south side of 14th Street, 350± feet east of Plano Parkway. Zoned Planned Development-202-Research/Technology Center. Staff recommended that the Planning & Zoning Commission accept the applicant's request to table this item until the September 4, 2012 meeting.

There being no discussion, Commissioner Cargo made a motion to table the item to the September 4, 2012 meeting. Commissioner Downs seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 11 - PUBLIC HEARING- PRELIMINARY REPLAT & REVISED
SITE PLAN:
PLANO WEST SENIOR HIGH SCHOOL, BLOCK A, LOT 1R
APPLICANT: PLANO INDEPENDENT SCHOOL DISTRICT**

Ms. Munyaradzi stated this is a public secondary school on one lot on 42.8± acres located at the northwest corner of Parker Road and Willow Bend Drive. Zoned Single-Family Residence-9 and Agricultural. Neighborhood #30. Staff recommended the following:

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:

1. City Council approval of the request for a parking reduction;
2. The applicant executing a performance agreement with the city, subject to approval by the City Attorney; and
3. Dedication of parking easements for the new proposed offsite parking on Lot 2, and the deferred parking areas on Lots 1R and 2, Block A, Plano West Senior High School Addition.

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 Downs seconded the motion, which passed 6-1. The Commissioner voting against the motion did not state a reason for the opposition.

**AGENDA ITEM NO. 12 - PUBLIC HEARING - REPLAT
34/FIRE STATION NO. 4 ADDITION, BLOCK 1, LOT 1R
APPLICANT: CITY OF PLANO**

Mr. Hubach stated this is a fire station/public safety building on one lot on 1.5± acres located at the southeast corner of Spring Creek Parkway and Roundrock Trail. Zoned Single-Family Residence-9. Neighborhood #34. Staff recommended approval of this item 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 Downs made a motion to approve the item as submitted. Commissioner Coleman seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 13 - PUBLIC HEARING - REPLAT
1/THE LINCOLN AT TOWNE SQUARE ADDITION, BLOCK A, LOT 5R
APPLICANT: SATURN ASSET MANAGEMENT LLP**

Mr. Hill stated this is a parking lot on one lot on 1.0± acre located on the west side of Ohio Drive, 215± feet north of Razor Boulevard. Zoned Planned Development-20-Mixed-Use/Preston Road Overlay District. Neighborhood #1. Staff recommended approval of this item 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 Adeoye seconded the motion, which passed 7-0.

END OF PUBLIC HEARINGS

**AGENDA ITEM NO. 14
ITEMS FOR FUTURE DISCUSSION**

There being no further discussion, Chairman Caso adjourned the meeting at 8:41 p.m.

Chris Caso, Chair