

PLANNING & ZONING COMMISSION
July 19, 2010

COMMISSIONERS PRESENT

James Duggan, Chairman
Craig Perry, 1st Vice Chair
Christopher Caso, 2nd Vice Chair
Jim Norton
David Downs
Michael Coleman
Doug Hazelbaker
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
Doris Carter, Sr. Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Duggan at 7:00 p.m., Monday, July 19, 2010.

Chairman Duggan asked if there were any corrections to the Agenda. Tina Firgens, Planning Manager, stated that Agenda Item No. 12 was to be withdrawn per the applicant's request.

First Vice Chair Perry made a motion to approve the agenda with the stipulation that Agenda Item No. 12 was to be withdrawn. Commissioner Hazelbaker seconded the motion, which passed 8-0.

Commissioner Downs made a motion to approve the minutes of the July 6, 2010, Planning & Zoning Commission meeting. Second Vice Chair Caso seconded the motion, which passed 8-0.

Commissioner Downs made a motion to approve the consent agenda as presented. Commissioner Coleman seconded the motion, which passed 8-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - FINAL PLAT 22/ALL STORAGE PLANO ADDITION, BLOCK A, LOTS 1 & 2 APPLICANT: THE ASSURED GROUP

Mini-warehouse/public storage on two lots on 5.0± acres located on the east side of K Avenue, 850± feet south of Pecan Lane. Zoned Light Commercial. Neighborhood #22.

Approved as submitted.

AGENDA ITEM NO. 5B - FINAL PLAT 72/ATMOS ENERGY MAPLESHADE ADDITION, BLOCK A, LOT 1 APPLICANT: ATMOS ENERGY CORP.

Shops, office, storage area, and a public/private utility on one lot on 10.8± acres located on the north side of Mapleshade Lane, 1,500± feet east of Coit Road. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District. Neighborhood #72.

Approved as submitted.

AGENDA ITEM NO. 5C - FINAL PLAT 9/DEERFIELD NORTH, PHASE V APPLICANT: MERITAGE HOMES OF TEXAS L. L. C

27 Single-Family Residence-7 lots on 7.6± acres located at the northwest corner of Preston Meadow Drive and Copeland Lane. Zoned Planned Development-439-Single-Family Residence-7. Neighborhood #9.

Approved as submitted.

AGENDA ITEM NO. 5D - PRELIMINARY PLAT 67/ONE-NINETY AND JUPITER ADDITION, BLOCK A, LOT 6 APPLICANT: NORTH DALLAS COMMUNITY BIBLE FELLOWSHIP

Religious facility on one lot on 19.6± acres located on the north side of State Highway 190, 1,050± feet east of Jupiter Road. Zoned Research/Technology Center and Light-Industrial 1/190 Tollway/Plano Parkway Overlay District. Neighborhood #67.

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

**AGENDA ITEM NO. 5E - REVISED SITE PLAN
8/CAPITAL ONE ADDITION, BLOCK 1, LOT 3R
APPLICANT: CAPITAL ONE NATIONAL ASSOCIATION**

General office on one lot on 24.8± 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.

Approved as submitted.

**AGENDA ITEM NO. 5F - REVISED SITE PLAN
21/R.C. CLARK ADDITION, BLOCK A, LOT 1R
APPLICANT: PLANO INDEPENDENT SCHOOL DISTRICT**

Public secondary school on one lot on 25.5± acres located on the north side of Spring Creek Parkway, 620± feet west of Chase Oaks Boulevard. Zoned Planned Development-329-Community Center. Neighborhood #21.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2010-06
APPLICANT: CITY OF PLANO**

Eric Hill, Planner, stated this is a request to amend Section 1.600 (Definitions) of Article 1 (General Regulations), Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses), Section 3.400 (Lot Regulations), Subsection 3.801 of Section 3.800 (Height Regulations), and Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations), and related sections of the Zoning Ordinance pertaining to church and rectory uses and other religious uses and facilities. Staff recommended approval as follows: (Additions are indicated in underlined text; deletions are indicated in strikethrough text.)

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

1.600 Definitions

~~Church and Rectory~~ Religious Facility - A building ~~for regular assembly for religious worship which is used primarily for such purpose~~ used primarily for religious assembly and worship and those accessory activities which are customarily associated therewith, and the place of residence for ~~ministers, priests, nuns, or rabbis~~ religious personnel on the premises.

2. Amend Section 3.400 (Lot Regulations) of Article 3 (Supplementary Regulations) to read as follows:

3.400 Lot Regulations

3.401 Independent living facilities, assisted living facilities, long-term care facilities, continuing care facilities, community centers, hospitals, ~~churches~~, colleges, universities, trade and commercial schools, and public, private, and parochial schools located in any residential district shall have a minimum site area of two acres and shall have access to a street with a minimum 36 feet of pavement width.

3.402 Religious facilities, independent living facilities, assisted living facilities, long-term care facilities, continuing care facilities, community centers, hospitals, colleges, universities, trade and commercial schools, and public, private, and parochial schools located in any residential district shall have access to a street with a minimum 36 feet of pavement width.

~~3.402~~ 3.403 Through lots are hereby prohibited.

~~3.403~~ 3.404 Where residential lots have frontage on streets at opposite ends of the lot, a screening wall or other permanent barrier shall be constructed on the property line so that access is denied to one of the adjacent streets.

~~3.404~~ 3.405 In the case where excess right-of-way is dedicated by plat for the purpose of construction an overpass and where such right-of-way exceeds the normal right-of-way required by the Thoroughfare Plan for the adjacent street, development which occurs on the property from which the excess right-of-way was dedicated may utilize the dedicated excess right-of-way in computing floor area ratio and lot coverage.

3. Amend Subsection 3.801 of Section 3.800 (Height Regulations) of Article 3 (Supplementary Regulations) to read as follows:

3.800 Height Regulations

3.801 In all zoning districts and planned developments, water standpipes and tanks, ~~church steeples~~ religious facility architectural features, bell towers, domes and spires on school buildings and institutional buildings, the roofs of auditoriums and sanctuaries of one story construction, and public safety structures may be erected to exceed the district's maximum height. Side and rear yards shall be increased by two additional feet, and the front yard shall be increased by one additional foot, for each foot that such structures exceed the district's maximum height where adjacent to residential districts. The increase in the required yard shall apply only to the portion of the structure that causes the increased yard requirements. See Sections 3.600 and 3.700 for additional side and rear yard setbacks in nonresidential zoning districts.

4. Amend Subsection 3.1107 (Schedule of Off-Street Parking) of Section 3.1100 (Off-Street Parking and Loading) of Article 3 (Supplementary Regulations) to read as follows:

3.1107 Schedule of Off-Street Parking

Amend parking requirements for religious facility as follows:

~~Church~~ Religious Facility - One space for ~~per each every~~ five ~~seats persons~~ accommodated in the main ~~sanctuary~~ assembly area(s). (No maximum number of parking spaces.)

5. Any reference to 'church' and/or 'church and rectory' in the Zoning Ordinance shall be changed to 'religious facility.'

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

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

First Vice Chair Perry stepped down for Agenda Items 7A and 7B.

Agenda Items 7A and 7B were presented together.

**AGENDA ITEM NO. 7A - PUBLIC HEARING
ZONING CASE 2010-08
APPLICANT: MORLEDGE HOLDINGS, LP**

Mr. Hill stated this is a request for a Specific Use Permit for a 90-foot Commercial Antenna Support Structure on 0.1± acre located 220± feet east of Coit Road and 480± feet north of Hedgcoxe Road. Zoned Retail. One letter was received in opposition of and none in favor of the item. Staff recommended approval.

This item was tabled at the July 6, 2010, Planning & Zoning Commission meeting. Commissioner Downs made a motion to remove the item from the table. Second Vice Chair Caso seconded the motion, which passed 7-0.

The public hearing was opened. Vincent Huebunger, representing the applicant, spoke in favor of the item. No one else spoke either in favor of or against the item. The public hearing was closed.

After some discussion, Commissioner Hazelbaker made a motion to approve the item subject to the commercial antenna support structure being constructed as a flagpole stealth design. Commissioner Dry seconded the motion, which passed 7-0.

**AGENDA ITEM NO. 7B - REVISED SITE PLAN
5/HEDGCOXE COIT CENTER, BLOCK 1, LOT 4
APPLICANT: MORLEDGE HOLDINGS, LP**

Mr. Hill stated this is a minor automobile repair and 90-foot commercial antenna support structure on one lot on 1.1± acres located on the east side of Coit Road, 220± feet north of Hedgcoxe Road. Zoned Retail. Neighborhood #5. Staff recommended approval subject to City Council approval of Zoning Case 2010-08.

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

First Vice Chair Perry resumed his seat.

Agenda Items 8A and 8B were presented together.

**AGENDA ITEM NO. 8A - PUBLIC HEARING
ZONING CASE 2010-09
APPLICANT: THE ASSURED GROUP**

Bester Munyaradzi, Planner, stated this is a request to rezone 7.1± acres located on the east side of North Star Road, 710± feet south of Plano Parkway from Research/Technology Center to Planned Development Research/Technology Center. Staff recommended denial.

The public hearing was opened. Mike Anderson, representing the applicant, spoke in favor of the item. No one else spoke in favor of or against the item. The public hearing was closed.

After much discussion, 1st Vice Chair Perry made a motion to deny. Commissioner Norton seconded the motion, which passed 6-2. Chairman Duggan and Commissioner Hazelbaker, who voted in opposition to the motion liked the requested uses and recognized the need for small business tenant spaces with storage. Additionally, while some Commissioners liked that the recreation vehicle parking lot was shielded from view, others did not believe that RV parking was an appropriate use.

**AGENDA ITEM NO. 8B - PRELIMINARY SITE PLAN
69/ASSURED NORTH STAR ADDITION, BLOCK A, LOT 1
APPLICANT: THE ASSURED GROUP**

Ms. Munyaradzi stated this is mini-warehouse/public storage and recreation vehicle parking lot on one lot on 7.1± acres located on the east side of North Star Road, 710± feet south of Plano Parkway. Zoned Research/Technology Center. Neighborhood #69. Staff recommended denial.

Second Vice Chair Caso made a motion to deny. Commissioner Downs seconded the motion, which passed 7-1. Commissioner Hazelbaker voted in favor of the item.

**AGENDA ITEM NO. 9 - PUBLIC HEARING
ZONING CASE 2010-11
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) of Article 2 (Zoning Districts and Uses), and related sections of the Zoning Ordinance pertaining to commercial amusement (outdoor) uses and development standards within the Regional Employment zoning district. Staff recommended approval as follows:

Amend Subsection 2.502 (Schedule of Permitted Uses) of Section 2.500 (Permitted Uses) of Article 2 (Zoning Districts and Uses) of the Zoning Ordinance to allow commercial amusement (outdoor) use in the Regional Employment zoning district with approval of a specific use permit.

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. Second Vice Chair Caso seconded the motion, which passed 8-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING
25/REPLAT: KINGS GATE ADDITION, BLOCK B, LOTS 10R, 11 & 12
APPLICANT: SUNIL D. DHAROD REVOCABLE TRUST AND
ROBERT AND VASILLIA PETERSON**

Ms. Perry stated this is two Single-Family Residence-20 lots and one common area lot for a private street on 6.5± acres located on the west side of Old Gate Road, 300± feet north of Sudbury Road. Zoned Single-Family Residence-20 with Specific Use Permit #281 for Private Street Development. Neighborhood #25. Staff recommends approval.

The public hearing was opened. David Morris, representing the applicant, was available for questions. No one spoke for or against the item. The public hearing was closed.

After some discussion, Second Vice Chair Caso made a motion to approve the item including the Planning & Zoning Commission granting a variance to the Subdivision Ordinance allowing no sidewalks along Rufford Court. Commissioner Coleman seconded the motion, which passed 8-0.

AGENDA ITEM NO. 11 - PUBLIC HEARING
58/REPLAT: PLANO BANK & TRUST ADDITION, BLOCK 1, LOT 2R
APPLICANT: LEGACY TEXAS BANK

Ms. Muntaryadzi stated this is a bank on one lot on 1.8± acres located on the west side of Alma Drive, 300± feet north of 15th Street. Zoned Planned Development-60-General Office. Neighborhood #58. 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 Perry made a motion to approve the item as submitted. Second Vice Chair Caso seconded the item, which passed 8-0.

Chairman Duggan stepped down for Agenda Item No. 13.

AGENDA ITEM NO. 13 - PUBLIC HEARING
14/REPLAT: NORMANDY ESTATES, BLOCK G, LOTS 6R, 7R, & 8R
APPLICANT: HAWKINS-WELWOOD HOMES

Three Single-Family Residence Attached lots on 0.4± acre located at the southeast corner of Bourbon Street and Francesca Lane. Zoned Single-Family Residence Attached with Specific Use Permit #594 for Private Street Subdivision. Neighborhood #14. 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 Downs made a motion to approve the item as submitted. Commissioner Coleman seconded the item, which passed 7-0.

Chairman Duggan resumed his chair.

END OF PUBLIC HEARINGS

AGENDA ITEM NO. 14 - PRESENTATION & DISCUSSION
TRAFFIC IMPACT ANALYSIS PROCESSES AND ISSUES
APPLICANT: CITY OF PLANO

Phyllis Jarrell, Director of Planning, stated this item is a request for discussion and direction on the processes for Traffic Impact Analysis as specified in the Zoning Ordinance and the issues related to Traffic Impact Analysis.

Jeff Green, Sr. Traffic Engineer, made a presentation and overview regarding the Traffic Impact Analysis processes, explaining the process itself, and how Levels of Service are established. The presentation was intended as a starting point for future discussion and direction regarding amendments to the city's Traffic Impact Analysis requirements.

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

Mr. Hill stated this is a request to call a public hearing to consider amendments to the development standards of the Corridor Commercial zoning district.

There being no discussion, Second Vice Chair Caso made a motion to call a public hearing to consider amendments to the development standards of the Corridor Commercial zoning district. First Vice Chair Perry seconded the motion, which passed 8-0.

AGENDA ITEM NO. 16 - ITEMS FOR FUTURE DISCUSSION

The Commission had no items they wished to discuss.

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

Planning & Zoning Commissioner

xc: Honorable Mayor and City Council
Thomas H. Muehlenbeck, City Manager