

PLANNING & ZONING COMMISSION
July 20, 2009

COMMISSIONERS PRESENT

Jim Norton, 1st Vice Chair
Maggie Armstrong, 2nd Vice Chair
Jeff Bulla
Christopher Caso
Tracey Dry

COMMISSIONERS ABSENT

James Duggan, Chairman
Michael Coleman
Craig Perry

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Tina Firgens, Planning Manager
Kate Perry, Sr. Planner
Bester Munyaradzi, Planner
Eric Hill, Planner
Paige Mims, Assistant City Attorney
Dee Sarver, Planning Technician
Evelyn Trull, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by 1st Vice Chair Norton at 7:00 p.m.

Phyllis Jarrell, Director of Planning, stated that after Item No. 10 the Commission would lack a quorum and Item No. 11 would be rescheduled at a future date. Ms. Jarrell also stated that Commission meeting would adjourn after Item No. 10.

Commissioner Caso made a motion to approve the agenda as presented. Second Vice Chair Armstrong seconded the motion, which passed 5-0.

Commissioner Caso made a motion to approve the minutes of the July 6, 2009, Planning & Zoning Commission meeting. Second Vice Chair Armstrong seconded the motion, which passed 5-0.

Commissioner Bulla made a motion to approve the consent agenda as submitted. Commissioner Caso seconded the motion, which passed 5-0.

CONSENT AGENDA

AGENDA ITEM NO. 5A - PRELIMINARY SITE PLAN 41/WASHINGTON-SHADDOCK ADDITION, BLOCK A, LOT 2 APPLICANT: WILLIAM C. SHADDOCK, TRUSTEE

Medical office on one lot on 1.2± acres located on the south side of Chapel Hill Boulevard, 210± feet east of Dallas North Tollway. Zoned Regional Commercial/Dallas North Tollway Overlay District. Neighborhood #41.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

AGENDA ITEM NO. 6 - PUBLIC HEARING ZONING CASE 2009-10 APPLICANT: CITY OF PLANO

Bester Munyaradzi, Planner, stated that this is a request to amend Subsection 2.818 (R-Retail) of Section 2.800 (District Charts) of Article 2 (Zoning Districts and Uses) and related sections of the Zoning Ordinance regarding mini-warehouse/public storage regulations. Staff recommended that the Planning & Zoning Commission accept staff's request to withdraw the zoning case.

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

There being no discussion, Commissioner Caso made a motion to approve the withdrawal of this item. Second Vice Chair Armstrong seconded the motion, which passed 5-0.

AGENDA ITEM NO. 7 - PUBLIC HEARING ZONING CASE 2009-12 APPLICANT: LARRY EPP

Eric Hill, Planner, stated that this is a request for a Specific Use Permit for Winery on one lot on 0.1± acre located at the northwest corner of Preston Road and Plano Parkway. Zoned Planned Development-457-Retail/General Office/190 Tollway/Plano Parkway and Preston Road Overlay Districts. Neighborhood #54. Staff recommended approval as submitted.

Larry Epp, the applicant, was available to answer questions.

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

After some discussion, Commissioner Caso made a motion to approve the item as submitted. Commissioner Dry seconded the motion, which passed 5-0.

**AGENDA ITEM NO. 8 - PUBLIC HEARING
ZONING CASE 2009-13
APPLICANT: CITY OF PLANO**

Ms. Munyaradzi stated that this is a request to amend Subsection 4.505 of Section 4.500 (Preston Road Overlay District), Subsection 4.605 of Section 4.600 (Dallas North Tollway Overlay District), Subsection 4.705 of Section 4.700 (190 Tollway/Plano Parkway Overlay District), Subsection 4.805 of Section 4.800 (State Highway 121 Overlay District), and Subsection 4.904 of Section 4.900 (Parkway Overlay District) of Article 4 (Special District Regulations) and related sections of the Zoning Ordinance pertaining to overhead electrical regulations. Staff recommended approval as follows: (Deletions are indicated in strikethrough text)

Section 4.500 Preston Road Overlay District

Subsection 4.505

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs. Temporary lines extended across another property to reach a site under development may remain above ground until development or redevelopment of that property occurs. Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded. A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type C and above) for the underground placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.504. The requirement of an easement may be waived at the discretion of the appropriate utility provider.~~

Section 4.600 Dallas North Tollway Overlay District

Subsection 4.605

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs. Temporary lines extended across another property to reach a site under development may remain above ground until development or redevelopment of that property occurs. Except as noted below, all lines including individual service lines shall be installed underground. (ZC 99-28; Ordinance No. 99-7-9)~~

- ~~(1) Overhead placement is permitted along the outside lanes of the Dallas North Tollway frontage roads for electrical distribution and communications lines sharing the same support structures. Single-post concrete and/or steel support structures are required.~~
- ~~(2) Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded.~~

~~A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type D and above) for the placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.604. Along the tollway frontage roads, two ten-foot easements shall be required. The requirement of an easement may be waived at the discretion of the appropriate utility provider(s). This requirement shall not apply to Central Business 1 zoned property within the corridor, except along the frontage roads of the Dallas North Tollway.~~

Section 4.700 190 Tollway/Plano Parkway Overlay District

Subsection 4.705

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs along all roadways (Type C or above). Exceptions to the above requirements are:~~

- ~~(1) Overhead placement is permitted along the northern right-of-way boundary of the 190 Tollway for electrical distribution and communications lines sharing the same support structures. Single-post concrete and/or steel support structures are required.~~
- ~~(2) Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded.~~

~~A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type C and above) for the placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.704. The requirement of an easement may be waived at the discretion of the appropriate utility provider.~~

Section 4.800 State Highway 121 Overlay District

Subsection 4.805

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs along all roadways (Type C or above). Exceptions to the above requirements are:~~

- ~~(1) Overhead placement is permitted along the southern right-of-way boundary of State Highway 121 for electrical distribution and communications lines sharing the same support structures. Single post concrete and/or steel support structures are required.~~
- ~~(2) Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded.~~

~~A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type C and above) for the placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.804. The requirement of an easement may be waived at the discretion of the appropriate utility provider.~~

Section 4.900 Parkway Overlay District

Subsection 4.904

~~Electrical and/or communications utility lines shall be installed underground in compliance with utility service regulations as new development or redevelopment occurs. Temporary lines extended across another property to reach a site under development may remain above ground until development or redevelopment of that property occurs. Existing overhead facilities, over 60,000 volts in capacity, which follow existing routes, rights-of-way, and/or easements may remain and may be repaired, replaced, or upgraded. A 15-foot wide easement shall be provided adjacent to thoroughfare rights-of-way (Type C and above) for the underground placement of electrical and/or communications utility lines. This easement may be included in the required landscape edge described in Subsection 4.903. The requirement of an easement may be waived at the discretion of the appropriate utility provider.~~

With the deletion of these subsections within the Zoning Ordinance, the remaining subsections within each overlay district would be renumbered accordingly.

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

There being no discussion, Commissioner Caso made a motion to approve the item as submitted. Commissioner Norton seconded the motion, which passed 3-2. Commissioner Dry and Commissioner Bulla voted against this item.

**AGENDA ITEM NO. 9 - PUBLIC HEARING - PRELIMINARY REPLAT
64/ALCATEL USA ADDITION, BLOCK A, LOTS 6R & 7
APPLICANT: ONCOR ELECTRIC DELIVERY COMPANY**

Ms. Munyaradzi stated that this is an electrical substation on one lot and one vacant lot on 8.3± acres located on the south side of Lotus Drive, 1,280± feet east of Independence Parkway. Zoned Light Industrial-1/190 Tollway/Plano Parkway Overlay District. Neighborhood #64. Staff recommended approval subject to additions and/or alterations to the engineering plans as required by the Engineering Department.

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

There being no discussion, Commissioner Caso made a motion to approve the item as submitted. Second Vice Chair Armstrong seconded the motion, which passed 5-0.

**AGENDA ITEM NO. 10 - PUBLIC HEARING - REPLAT
42/WEST PARK PRESTON ADDITION, BLOCK A, LOT 1R
APPLICANT: FROST BANK**

Ms. Munyaradzi stated that this is a bank on one lot on 1.6± acres located at the northeast corner of Park Boulevard and Prestwick Road. Zoned Planned Development-68-Retail/Preston Road Overlay District. Neighborhood #42. 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 Dry made a motion to approve the item as submitted. Commissioner Bulla seconded the motion, which passed 5-0.

END OF PUBLIC HEARINGS

AGENDA ITEM NO. 13 - ITEMS FOR FUTURE DISCUSSION

Second Vice Chair Armstrong had an item not necessarily for discussion but for knowledge. Second Vice Chair Armstrong would like a report written from staff to the Commission following up on golf nets, including if there were any variance requests and if so, how many, the types of approval given, how many nets were taken down (if any), and how many nets were modified.

There being no further discussion, First Vice Chair Norton adjourned the meeting at 7:27 p.m.

Planning & Zoning Commissioner

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