

PLANNING & ZONING COMMISSION
July 21, 2008

COMMISSIONERS PRESENT

James Duggan, Chairman
Jim Norton, 1st Vice Chair
Maggie Armstrong, 2nd Vice Chair
Jeff Bulla
Christopher Caso
Michael Coleman
Craig Perry

COMMISSIONERS ABSENT

Beth Weingarden

STAFF PRESENT

Phyllis M. Jarrell, Director of Planning
Tom Elgin, Development Review Manager
Tina Firgens, Sr. Planner
Kate Perry, Sr. Planner
Eric Hill, Planner
Bester Tauro, Planner
Paige Mims, Assistant City Attorney
Dee Sarver, Sr. Planning Technician
Donna White, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Duggan at 7:00 p.m., Monday, July 21, 2008.

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

Commissioner Bulla made a motion to approve the minutes of the July 7, 2008, Planning & Zoning Commission meeting. Commissioner Perry seconded the motion, which passed 7-0.

Commissioner Coleman made a motion to approve the consent agenda as submitted. Second Vice Chair Armstrong seconded the motion, which passed 7-0.

CONSENT AGENDA

**AGENDA ITEM NO. 5A - PRELIMINARY PLAT
36/FAIRVIEW PREMIER PHASE II ADDITION, BLOCK 1, LOT 1
APPLICANT: FAIRVIEW FARM LAND CO., LTD.**

Kennel (indoor pens)/Commercial pet sitting on one lot on 2.5± acres located on the west side of Premier Drive, 550± feet north of Renaissance Drive. Zoned Corridor Commercial. Neighborhood #36.

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

**AGENDA ITEM NO. 5B - REVISED CONVEYANCE PLAT
14/PALOMINO CROSSING ADDITION, BLOCK 1, LOTS 1R & 2R
APPLICANT: SEALY SPRING CREEK PARTNERS, L.P.**

Two conveyance lots on 55.0± acres located at the southeast corner of Spring Creek Parkway and State Highway 121. Zoned Commercial Employment. Neighborhood #14.

Approved as submitted.

**AGENDA ITEM NO. 5C - FINAL PLAT
1/PRESTON CREEK SHOPPING CENTER ADDITION NO. 2, BLOCK A, LOT 2
APPLICANT: HSG PRESTON CREEK RETAIL CENTER, LTD.**

Shopping center on one lot on 5.2± acres located at the northeast corner of Preston Road and Towne Square Drive. Zoned Planned Development-20-Mixed Use. Neighborhood #1.

Approved as submitted.

**AGENDA ITEM NO. 5D - FINAL PLAT
26/WINDHAVEN PARK, BLOCK 1, LOT 1
APPLICANT: GUARANTY BANK**

Bank on one lot on 1.7± acres located at the northwest corner of Windhaven Parkway and Dallas North Tollway. Zoned Regional Commercial. Neighborhood #26.

Approved as submitted.

**AGENDA ITEM NO. 5E - PRELIMINARY SITE PLAN
1/MORGAN VILLAGE RETAIL CENTER ADDITION, BLOCK A, LOT 2R
APPLICANT: DICK FERRELL COMPANY**

Retail on one lot on 1.2± acres located on the east side of Ohio Drive, 280± feet north of McDermott Road. Zoned Regional Commercial. Neighborhood #1.

Approved as submitted.

**AGENDA ITEM NO. 5F - REVISED CONCEPT PLAN
1/MORGAN VILLAGE RETAIL CENTER ADDITION, BLOCK A, LOTS 2R, 3, & 4
APPLICANT: DICK FERRELL COMPANY**

Retail on three lots on 2.6± acres located at the northeast corner of Ohio Drive and McDermott Road. Zoned Regional Commercial. Neighborhood #1.

Approved as submitted.

**AGENDA ITEM NO. 5G - REVISED CONVEYANCE PLAT
4/MORGAN VILLAGE RETAIL CENTER ADDITION, BLOCK A, LOTS 2R, 3, & 4
APPLICANT: DICK FERRELL COMPANY**

Three conveyance lots on 2.6± acres located at the northeast corner of Ohio Drive and McDermott Road. Zoned Regional Commercial. Neighborhood #1.

Approved as submitted.

**AGENDA ITEM NO. 5H - CONCEPT PLAN & PRELIMINARY SITE PLAN
71/DALTEX-MAPLESHADE ADDITION, BLOCK 2, LOTS 1R & 2
APPLICANT: DALTEX-MAPLESHADE, INC.**

General offices and hotel on two lots on 5.0± acres located on the south side of Mapleshade Lane, 1,500± feet west of Coit Road. Zoned Corridor Commercial. Neighborhood #71.

Approved as submitted.

**AGENDA ITEM NO. 5I - REVISED CONVEYANCE PLAT
71/DALTEX-MAPLESHADE ADDITION, BLOCK 2, LOTS 1R & 2
APPLICANT: DALTEX-MAPLESHADE, INC.**

Two conveyance lots on 5.0± acres located on the south side of Mapleshade Lane, 1,500± feet west of Coit Road. Zoned Corridor Commercial. Neighborhood #71.

Approved as submitted.

**AGENDA ITEM NO. 5J - FINAL PLAT
4/PRESTON ONE ADDITION, BLOCK A, LOT 2R
APPLICANT: TEXAS GSA HOLDINGS**

General office building on one lot on 6.0± acres located on the east side of Preston Road, 275± feet north of Hedgcoxe Road. Zoned Planned Development-159-General Office. Neighborhood #4.

Approved as submitted.

END OF CONSENT AGENDA

PUBLIC HEARINGS

**AGENDA ITEM NO. 6 - PUBLIC HEARING
ZONING CASE 2008-62
APPLICANT: CITY OF PLANO**

Kate Perry, Sr. Planner, stated this is a request to rezone 189.6± acres located on the west side of Rowlett Creek, on the south side of 14th Street, 990± feet east of Los Rios Boulevard, on the north side of the Cotton Belt Railroad and the east side of Bradshaw Drive, and extending 920± feet south of Plano Parkway to Plano's city limit line, from Research/Technology Center (RT) to Planned Development-Research Technology Center (PD-RT). Zoned Research/Technology Center. There were several emails received in opposition and five letters received in support of the item. Staff recommended approval as Planned Development-Research/Technology Center subject to:

1. In addition to those uses allowed by right or by specific use permit (SUP) in the RT district, the following uses are allowed:
 - mini-warehouse/public storage
 - service contractor (no storage yard)
 - dance/gymnastics studio
 - indoor commercial amusement
 - outdoor commercial amusement (by SUP)
 - kennel (indoor pens)/commercial pet sitting
 - veterinary clinic
 - cabinet/upholstery shop
 - tool rental shop
 - print shop (minor)
 - household appliance service and repair
 - repair/storage of furniture and appliances (inside)
 - hardware
 - garden center
 - artisan's workshop
 - fraternal organization, lodge, or civic club (by SUP)

- assisted living facility (by SUP)
2. An office-showroom/warehouse use is permitted in the district only when the first floor of the building housing said use does not exceed 150,000 square feet of gross floor area. (This does not apply to manufacturing buildings.)
 3. Office-showroom/warehouse use must have a minimum of 15% of the gross floor area devoted to office-showroom purposes.
 4. Maximum Loading Facilities - Buildings in the district shall not exceed the following ratios for loading spaces:

Square Feet of Gross Floor Area in Structure	Maximum Loading Spaces or Berths
Zero to 20,000	Four
Over 20,000	One for each additional 10,000 square feet up to a maximum of 17

The public hearing was opened. Alan Smith, citizen of Plano, spoke in opposition of the item. Mr. Smith's had concerns regarding loss of jobs, the warehouses being constructed too close to an area middle school and residential neighborhoods, and a concern that no other business would build in the area if warehouses were allowed to be constructed.

Howard Way, citizen of Plano, spoke in opposition of the item. Mr. Way had concerns regarding semi-truck traffic going through the area neighborhoods.

Henry Davis, citizen of Plano, spoke in opposition of the item. Mr. Davis had concerns regarding the appearance of the area if additional warehouses were allowed to be constructed.

David Minaldi, citizen of Plano, spoke in opposition of the item. Mr. Minaldi had concerns regarding home value depreciation.

Tom Chittick, citizen of Plano, spoke in opposition of the item. Mr. Chittick had concerns regarding traffic congestion, noise and safety hazards, and fear of driving research and technology centers out of the area.

Pat Talerico, citizen of Plano, spoke in opposition of the item. Ms. Talerico stated the proposed zoning change would not be compatible to the present use of the property. Ms. Talerico had concerns with the warehouses being built close to a church, apartment complex, and golf course. Ms. Talerico also had concerns regarding traffic congestion, noise, and pollution.

David Hamilton, citizen of Plano, spoke in opposition of the item. Mr. Hamilton had concerns regarding traffic congestion and neighborhood safety.

Shawn Valk, citizen of Plano, spoke in support of the item.

Valerie Ray, citizen of Plano, spoke in opposition of the item. Ms. Ray had concerns regarding traffic congestion.

Dale Burton, citizen of Plano, spoke in support of the item. Mr. Burton stated he and his family owned properties within the proposed zoning area. Mr. Burton also stated they had been marketing the property for several years; however, the noise of the gun range, the relatively few uses in the RT district, and the lay of the land have not resulted in any offers to purchase for his property.

Bill McCray, citizen of Plano, spoke in opposition of the item. Mr. McCray had concerns regarding traffic congestion and neighborhood safety and warehouses being built too close to a public school.

Doug Johnson, citizen of Plano, spoke in support of the item.

John Burger, citizen of Plano, spoke in opposition of the item. Mr. Burger had concerns regarding traffic congestion.

Kit Carker, citizen of Plano, spoke in opposition of the item. Mr. Carker had concerns regarding traffic congestion, crime, and appearance. Mr. Carker stated that his neighborhood was desperately in need of a traffic light due to the amount of traffic that was already going through the area.

The public hearing was closed.

After much discussion, 2nd Vice Chair Armstrong made a motion to approve as Planned Development-Research/Technology Center subject to:

In addition to those uses allowed by right or by specific use permit (SUP) in the RT district, the following uses are allowed by right:

- mini-warehouse/public storage
- service contractor (no storage yard)
- dance/gymnastics studio
- indoor commercial amusement
- outdoor commercial amusement (by SUP)
- kennel (indoor pens)/commercial pet sitting
- veterinary clinic
- cabinet/upholstery shop
- tool rental shop
- print shop (minor)
- household appliance service and repair
- repair/storage of furniture and appliances (inside)
- hardware
- garden center
- artisan's workshop
- fraternal organization, lodge, or civic club (by SUP)

- assisted living facility (by SUP)

Commissioner Caso seconded the motion, which passed 4-3.

AGENDA ITEM NO. 7 - PUBLIC HEARING
21/PRELIMINARY REPLAT: PEARCY/CHRISTON ADDITION, BLOCK 1,
LOTS 1R & 5R
APPLICANT: SPRING CREEK PLANO RETAIL, LP

Tina Firgens, Sr. Planner, stated this is a request for a bank and retail on two lots on 11.4± acres located at the northwest corner of Spring Creek Parkway and U.S. Highway 75. Zoned Corridor Commercial. Neighborhood #21. 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 Perry made a motion to approve the item as submitted. Commissioner Bulla seconded the motion, which passed 7-0.

AGENDA ITEM NO. 8 - PUBLIC HEARING
21/PRELIMINARY REPLAT: CENTRAL LEGACY PLAZA, BLOCK 1, LOTS 1R & 4
APPLICANT: CENTRAL LEGACY INVESTMENTS, LTD.

Ms. Firgens stated this is a request for retail, restaurant, general, and medical office development on two lots on 15.3± acres located at the southwest corner of U.S. Highway 75 and Legacy Drive. Zoned Corridor Commercial. Neighborhood #21. Staff recommended approval subject to:

1. Explorer Pipeline written approval of access drive aisles, parking, sidewalks and other improvements within the Ensearch easements.
2. Additions and/or alterations to the engineering plans as required by the Engineering Department.

The public hearing was opened. Jim Dooley, representing the applicant, was available to answer any questions. 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 subject to:

1. Explorer Pipeline written approval of access drive aisles, parking, sidewalks and other improvements within the Ensearch easements.
2. Additions and/or alterations to the engineering plans as required by the Engineering Department.

Commissioner Caso seconded the motion, which passed 7-0.

END OF PUBLIC HEARINGS

**AGENDA ITEM NO. 9 - PRELIMINARY SITE PLAN
67/L.A. DAVIS ADDITION, BLOCK 3, LOTS 18R & 19R
APPLICANT: AVENUE F CHURCH OF CHRIST**

Ms. Firgens stated this is a request for a religious facility on two lots on 0.5± acre located on the east side of F Avenue, 360± feet south of 11th Street. Zoned General Residential. Neighborhood #67. Staff recommended approval subject to:

1. Planning & Zoning Commission granting a waiver to the Subdivision Ordinance requirement for two points of access.
2. Board of Adjustment approval of a variance to the minimum two acre site area requirement.

After a brief discussion, 1st Vice Chair Norton made a motion to approve the item subject to:

1. Planning & Zoning Commission granting a waiver to the Subdivision Ordinance requirement for two points of access.
2. Board of Adjustment approval of a variance to the minimum two acre site area requirement.

Commissioner Caso seconded the motion, which passed 7-0.

AGENDA ITEM NO. 10 - ITEMS FOR FUTURE DISCUSSION

The Commission had no items they wished to discuss.

There being no further discussion, Chairman Duggan adjourned the meeting at 8:40 p.m.

Planning & Zoning Commissioner

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