

PLANNING & ZONING COMMISSION

March 3, 2003

Present:

Lee Dunlap, Chairman
Laura Williamson, 1st Vice Chair
Bill Neukranz, 2nd Vice Chair
Joyce Beach
Jerry Kezhaya
Carolyn Kalchthaler
Joy Flick
Will Smith

Staff:

Phyllis M. Jarrell, Director of Planning
Kent McIlyar, Assistant City Attorney II
Tom Elgin, Development Review Manager
Jeff Zimmerman, Planning & Information Manager
Christina Day, Sr. Planner
Charles Lee, Planner
Carrie Lee, Planner
Greg Adams, Sr. Planner
Dee Sarver, Planning Technician
Donna White, Technical Administrative Assistant

The Planning & Zoning Commission meeting was called to order by Chairman Dunlap at 7:00 p.m., Monday, March 3, 2003. Staff requested Agenda Item No. 4d be pulled for Individual Consideration and requested Agenda Item No. 5 be moved to follow Agenda Item No. 7. Commissioner Flick made a motion to approve the agenda as amended. Commissioner Neukranz seconded the motion, which passed 7-0. First Vice Chair Williamson made a motion to approve the February 17, 2003, meeting Minutes, and February 18, 2003, work session Minutes. Commissioner Beach seconded the motion, which passed 7-0. Commissioner Smith made a motion to approve the Consent Agenda. Commissioner Flick seconded the motion, which passed 7-0.

CONSENT AGENDA

Agenda No. 4a - Preliminary Site Plan: 67/Malaby Addition, Block 4, Lot 13R - Applicant: Ben Amini

This is a request for a proposed major automotive repair facility on one lot on 0.7± acre on the west side of K Avenue, 120± feet south of 10th Street. Zoned Light Industrial-1.

Approved as submitted.

Agenda No. 4b - Revised Preliminary Site Plan: 40/Park Place Shopping Center, Block A, Lots 5-12 - Applicant: Planned Development, LLC

This is a request for a retail and service development on eight lots on 13.7± acres on the north side of Park Boulevard, 700± feet west of Plano Parkway. Zoned Planned Development-112-Retail w/Specific Use Permit #442.

Approved as submitted.

Agenda No. 4c - Preliminary Site Plan & Revised Concept Plan: 4/Ohio-Hedgcoxe Addition, Block A, Lots 2 & 4 - Applicant: Copacabana Corporation, Inc.

This is a request for a retail building on one lot on 1.4± acres and future restaurant and retail development on one lot on 7.6± acres on the northeast corner of Hedgcoxe Road and Ohio Drive. Zoned Planned Development-141-Retail.

Approved as submitted.

END OF CONSENT AGENDA

Commissioner Kezhaya joined the meeting at 7:08 p.m.

ITEM FOR INDIVIDUAL CONSIDERATION

Agenda No. 4d - Preliminary Site Plan & Revised Concept Plan: 9/Preston-Hedgcoxe Addition, Block D, Lots 1 & 2 and Block E, Lots 1 & 2 - Applicant: Sam Hill Venture

Carrie Lee, Planner, stated this is a request for a bank with drive-thru lanes on one lot on 1.6± acres and future office development on three lots on 6.3± acres on the east side of Preston Road, 200± feet north of Garden Hill Road. Zoned Office-2. Staff recommended approval as submitted.

First Vice Chair Williamson made a motion to accept the applicant's request to withdraw the item. Commissioner Smith seconded the motion, which passed 7-0.

END OF ITEM FOR INDIVIDUAL CONSIDERATION

PUBLIC HEARINGS

Agenda No. 6 - Public Hearing: Zoning Case 2002-68 - Applicant: City of Plano

Greg Adams, Sr. Planner, stated this is a request to amend the Zoning Ordinance to add Section 4-1000 to Article 4 to establish a Transit Overlay District (TOD). Tabled 02/17/03. First Vice Chair Williamson made a motion to remove the item from the table. Commissioner Beach seconded the motion, which passed 8-0. No letters were received for or against the item. Staff recommended approval of the following:

4-1000 TRANSIT OVERLAY DISTRICT (TOD)

4-1001 Purpose

The purpose of the Transit Overlay District (TOD) is to provide for pedestrian and transit friendly development through a mix of residential, commercial and employment opportunities with appropriate densities and design characteristics within the designated transit corridors. These standards recognize the importance of creating transit-friendly development patterns in close proximity to existing or planned rail stations.

4-1001 Applicability

The regulations described for the TOD shall supercede all regulations for the base zoning districts of properties fully or partially within a designated overlay district. Where there is any conflict, the requirements of the overlay district shall apply. Except as noted, the requirements below shall apply to all lots or tracts located fully or partially within the boundaries established for the TOD.

4-1002 Use Regulation

Uses within the overlay district shall be allowed in accordance with Section 2-502 (Schedule of Permitted Uses) for the Corridor Commercial (CC) zoning district except as noted below:

1. Additional Uses: Multi-family uses, developed in accordance with Subsection 4-1004 below, shall be allowed as an additional use.
2. Prohibited Uses: The following uses will be prohibited within the TOD:
 - Cemetery/Mausoleum
 - Farm, Ranch, Garden or Orchard
 - Golf Course/Country Club (Private)
 - Open Storage
 - Electrical Substation
 - Sewage Treatment Plant
 - Water Treatment Plant
 - Flea Market
 - Garden Center
 - Portable Building Sales

Fairgrounds/Exhibition Area
Mortuary/Funeral Parlor
Theater (Drive-in)
Trailer Rental
Automobile Leasing/Renting
Automobile Repair/Major
Automobile Repair/Minor/Service Station
Automobile Storage
Car Wash
New Car Dealer
Used Car Dealer
Recreation Vehicle sales and Service (New/Used)
Tire Dealer (No Open Storage)
Truck/Bus Leasing
Truck Terminal
Cabinet/Upholstery Shop
Mini-Warehouse Public Storage
Office Showroom/Warehouse
Limited Assembly and Manufacturing

4-1003 Development Standards

Development or redevelopment shall meet the following development standards:

1. Multi-family Use: Multi-Family use shall be permitted in the overlay district either as a primary or accessory use. This use shall be permitted in accordance with the following stipulations and numbers 2 through 7 of this section:
 - a. The maximum number of multi-family units allowed within the overlay district shall not exceed 25 units per acre of the transit overlay district.
 - b. Multi-family units shall be developed at a density not lower than 40 units per acre, but not greater than 100 units per acre.

- c. No building, excluding parking structures, shall have more than 60% of its total linear ground floor frontage on public streets devoted to residential use.
 - d. No more than 200 dwelling units may be located within any block bounded by streets, public ways, and/or railroad or transit rights-of-ways.
 - e. The requirements in Subsection 3-104 (Multi-Family Residence) shall not apply.
2. Building Setbacks: Buildings within the overlay district are to be located close to streets and public ways. The front building setback is measured from the back of the curb to the nearest projecting face of the structure. The side and rear building setbacks are measured from the nearest projecting face of the structure to the property line.
- a. Front Yard Setback (along Type "E" or smaller roadways):
 - i. For buildings four stories or 70 feet tall and below - 15 feet (minimum) and 20 feet (maximum).
 - ii. For buildings taller than four stories or 70 feet - 20 feet (minimum) and 25 feet (maximum).
 - b. Front Yard Setback (along Type "D" or larger roadways):
 - i. For buildings four stories or 70 feet tall and below - 30 feet (minimum) and 40 feet (maximum).
 - ii. For buildings taller than four stories or 70 feet - 40 feet (minimum) to 45 feet (maximum).
 - c. Minimum Side Yard Setback - None.
 - d. Minimum Rear Yard Setback - None.
 - e. Minimum Development Street Frontage: A minimum of two thirds of the building's face along the street frontage shall be within the appropriate setback range as defined in Subsections (a) and (b) above. The remaining 1/3 of the facade may exceed the maximum setback requirement.

- f. Setback Encroachment: Building features may encroach into the setback area a distance up to five (5) feet from the building face. A minimum five (5) foot wide area of the sidewalk must be maintained clear of encroachments. These features may include, but are not limited to the following:
 - i. Stoops
 - ii. Planters
 - iii. Chimneys
 - iv. Bay windows
 - v. Awnings
 - vi. Balconies
 - vii. Porches
 - viii. Pilasters
 - ix. Canopies
 - x. Tower elements
 - xi. Eaves
3. Sidewalk: The area for sidewalks within the TOD shall be a minimum of 10 feet wide. Street trees may be placed in the first five (5) feet adjacent to the curb. The second five (5) feet shall be for sidewalk pavement only.
4. Maximum Lot Coverage: Maximum lot coverage shall be 100%.
5. Maximum Height: Maximum height within the overlay district shall be 20 stories (not to exceed 320 feet). Building height shall comply with the requirements of the Zoning Ordinance, Subsection 2-828 (Corridor Commercial), C. (Area, Yard & Bulk Requirements), 10. (Setbacks from Residential Districts).
6. Floor Area Ratio (FAR): Maximum floor area ratio shall be 10:1.
7. Parking: Minimum parking requirements are as follows:

- a. Non-residential Parking: Parking for non-residential uses shall be provided at the rate of one space per each 300 square feet.
- b. Multi-family Parking: Parking for multi-family uses shall be provided as follows:
 - i. One bedroom or less - one parking space per unit
 - ii. Two bedrooms - 1½ parking spaces per unit
 - iii. Three bedrooms or more - two parking spaces per unit

4-1004 Design Criteria

Buildings shall comply with building massing, materials, architectural features, and screening standards below.

- 1. Building Massing: All building facades, except parking structure facades, shall comply with either "a." or "b." as follows:
 - a. Offsets shall be provided that are a minimum depth/height of three feet and a minimum length of 20 feet. A minimum of one vertical or one horizontal offset shall be provided for not less than every 100 feet of facade length as measured along the street frontage.
 - b. Individual building facades shall contain vertical, contrasting architectural styles for not less than every 100 feet of facade length as measured along the street frontage. For the purposes of this standard, a contrasting architectural style shall contain two of the following three criteria:
 - i. Different materials, material colors and/or material textures.
 - ii. Dissimilar shape, depth, height and/or length of door, window and other building openings.
 - iii. Contrasting roofline profiles.
- 2. Materials - All building facades, including parking structure facades or as noted otherwise, shall comply with the following material standards:

- a. Seventy-five percent (75%) of all facades shall consist of glass, fired clay brick, native stone, cast stone, glazed tile, cementitious lap siding or a combination of these materials. Other finishes and materials may be used at the sole discretion of the Planning & Zoning Commission if adopted as part of the site plan approval and if permitted by building and fire codes. Any finish and material permitted by building and fire codes may be used on the remaining 25% of any exposed exterior wall. The Planning & Zoning Commission may allow, at its sole discretion, the use of concrete, concrete block, and tile, as described in the City of Plano Building Code on exterior walls that are not visible from public thoroughfares. These finishes must be consistent in color with the remainder of the building. These would include the walls of service courts and other facilities that are secluded from view by the specific design of a building or group of buildings.
- b. Glass requirements
 - i. The maximum reflectance of glass and glazing for all structures shall not exceed thirty percent (30%).
 - ii. For all non-residential structures, except excluding parking structures, a minimum of forty percent (40%) of the ground floor façade shall be glass windows, glass doors and/or display windows. For purposes of this section, the ground floor façade is that portion of the building façade from the street-level finish floor elevation to the greater of the finish floor elevation of the second floor or to the line 12½ feet above the ground floor finish floor elevation.
3. Architectural Features - Three or more different architectural features shall be incorporated all facades except parking structure facades. Acceptable architectural features include, but are not limited to: balconies, awnings/canopies, entry stair/stoop, bay windows, dormers, arches, recessed entries, projecting vestibules, arcade walkways and/or court yards/public spaces.
4. Screening - Loading docks or spaces, service yards and trash collection facilities, (dumpsters, compactors, and related devices) shall be screened from streets and the DART right-of-way. The Planning & Zoning Commission may require wing walls or other techniques to visually screen these areas from streets and DART right-of-way.

- 4-1005 The landscape requirements in Section 3-1200 (Landscaping Requirements) shall not apply. Street trees shall be required for property within the overlay district with street frontage. Trees with planting beds or tree grates must be placed within a minimum distance of five (5) feet from the back of the street curb. A minimum of one tree shall be provided for not less than every 40 linear feet of street frontage.
- 4-1007 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 fifteen-foot (15) wide easement shall be provided adjacent to thoroughfare rights-of-way (Type "D" and above) for the underground placement of electrical utility and/or communications lines.
- 4-1008 All signs within the overlay district shall comply with the following:
1. Signs within the overlay district shall comply with standards applicable to "Area A" in Subsection 3-1605 (Downtown Sign District).
 2. Monument signs shall be permitted along Type "C" roadways. Monument signs shall comply with Sub-section 3-1603 B. 4. (Identification Signs).

The public hearing was opened. J. D. Williams, 5 Eastcreek Place, spoke in opposition to the item. His concern was the expense taxpayers were going to have to pay for infrastructure needs. No one else spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Neukranz made a motion to approve the item subject to staff's recommendations. Commissioner Beach seconded the motion, which passed 7-1.

Commissioner Flick voted in opposition due to multiple concerns, including problems with the recommended parking, facade requirements, height, and uses.

Agenda No. 7 - Public Hearing: Zoning Case 2002-69 - Applicant: City of Plano

Mr. Adams stated this is a request to apply the Transit Overlay District (Zoning Case 2002-68) to 54.8± acres. The area of the request includes property on the northwest and southwest corners of Park Boulevard and K Avenue, and extends west to include property along Exchange Drive to a point 450± feet east of U.S. Highway 75. Zoned Planned Development-23-Light Commercial and Corridor Commercial with Specific Use Permits #123, #126, #127, #158, and #310. Neighborhood #59. Tabled 02/03/03 and 02/17/03. Commissioner Kezhaya made a motion to remove the item from the table. Commissioner Beach seconded the motion, which passed 8-0. Four letters were received for the item, three in favor and one in opposition. Staff recommended approval as submitted.

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

After a brief discussion, Commissioner Beach made a motion to approve the item as submitted. Commissioner Neukranz seconded the motion, which passed 7-1.

Commissioner Flick voted in opposition due to multiple concerns, including problems with the recommended parking, facade requirements, height, and uses.

Agenda No. 5 - Public Hearing: Zoning Case 2002-67 - Applicant: City of Plano

Mr. Adams stated this is a request to rezone 16.8± acres along the west side of K Avenue between Park Boulevard and Parker Road from Planned Development-23-Light Commercial to Corridor Commercial. Zoned Planned Development-23-Light Commercial with Specific Use Permits #123, #136, #127, #158, #211, and #310. Neighborhood #59. Tabled 01/21/03, 02/03/03, and 02/17/03. Commissioner Flick made a motion to remove the item from the table. Commissioner Kezhaya seconded the motion, which passed 8-0. Three letters were received for the item, two in favor and one in opposition. Staff recommended approval as submitted.

The public hearing was opened. Ricky Guest, 901 Haggard Street, spoke in favor of the item. Sonja Hammar, 2600 Ventura Street, spoke in opposition to the item. Her concern was the process City staff uses to notify affected property owners. She also stated she did not want multi-family development in the area. No one else spoke for or against the item. The public hearing was closed.

After much discussion, Commissioner Kezhaya made a motion to approve the item as submitted. First Vice Chair Williamson seconded the motion, which passed 7-1.

Commissioner Flick, voting in opposition, was against the Transit Overlay District (ZC2002-68); a related case.

Agenda No. 8 - Public Hearing - Revised Site Plan & Replat: 3/Anderson Elementary School, Block A, Lot 1 - Applicant: Frisco Independent School District

Charles Lee, Planner, stated this is a request for an existing public elementary school on one lot on 6.8± acres on the northwest corner of Elsinore Drive and Floyd Drive. Zoned Single-Family-6, Single-Family-7, and Multi-Family-2. One letter was received in favor of the item. 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 Flick made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 8-0.

Agenda No. 9 - Public Hearing - Revised Site Plan & Replat: 43/Haggard Library, Block 1, Lot 1R - Applicant: City of Plano

Mr. Lee stated this is request for an existing municipal library on one lot on 5.4± acres on the southwest corner of Coit Road and Rockingham Way. Zoned Single-Family-9. No letters were received for or against the item. 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 Kezhaya made a motion to approve the item as submitted. Commissioner Beach seconded the motion, which passed 8-0.

Agenda No. 10 - Public Hearing - Preliminary Replat: 67/Malaby Addition, Block 4, Lot 13 - Applicant: Ben Amini

Mr. Lee stated this is a request for a proposed major automotive repair facility on one lot on 0.7± acre on the west side of K Avenue, 120± feet south of 10th Street. Zoned Light Industrial-1. No letters were received for or against the item. Staff recommended approval subject to:

1. Planning & Zoning Commission approval of Preliminary Site Plan for Malaby Addition, Block 4, Lot 13.
2. 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 Kezhaya made a motion to approve the item subject to staff's recommendations. Commissioner Smith seconded the motion, which passed 8-0.

Agenda No. 11 - Public Hearing - Preliminary Replat, Conveyance Plat & Revised Site Plan: 5/Church of Christ on McDermott Road Addition, Block 1, Lots 1R & 2R - Applicant: Waterview Church of Christ

Ms. Lee stated this is request for an existing church on two lots on 12.0± acres on the southwest corner of McDermott Road and Gifford Drive. Zoned Single-Family-6. No letters were received for or against the item. Staff recommended approval subject to:

Preliminary Replat & Conveyance Plat:

Additions and/or alterations to the engineering plans as required by the Engineering Department.

Revised Site Plan:

Staff approval of landscape plans.

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

There being no discussion, Commissioner Beach made a motion to approve the item subject to staff's recommendations. Commissioner Kalchthaler seconded the motion, which passed 8-0.

Agenda No. 12 - Public Hearing - Replat & Revised Site Plan: 16/Lincoln Place in Legacy, Block A, Lot 1R - Applicant: Lincoln Place One, LP

Christina Day, Sr. Planner, stated this is a request for an existing office building on one lot on 7.9± acres on the southeast corner of Tennyson Parkway and Bishop Road. Zoned Commercial Employment. No letters were received for or against the item. 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 Flick made a motion to approve the item as submitted. Commissioner Kezhaya seconded the motion, which passed 8-0.

END OF PUBLIC HEARINGS

Agenda No. 13 - Preliminary Site Plan & Concept Plan: 67/Jupiter 190 Addition, Block A, Lots 2R, 3R & 4R - Applicants: G.P. Partners and Highway 190 & Jupiter Joint Venture

Ms. Day stated this is a request for a mini-warehouse and retail development on three lots on 7.7± acres on the northwest corner of Jupiter Road and S. H. 190. Zoned Light Industrial-1. Tabled 11/18/02, 12/17/02 and 02/17/03. Commissioner Flick made a motion to remove the item from the table. Commissioner Kezhaya seconded the motion, which passed 8-0. No letters were received for or against the item. Staff recommended approval as submitted.

Walter Nelson, representing the applicant, answered the Commissioners' questions regarding the car wash and the timeline expected for the two phases of construction.

After a brief discussion, 1st Vice Chair Williamson made a motion to approve the item as submitted. Commissioner Smith seconded the motion, which passed 8-0.

Agenda No. 14 - Request to Waive the Two-Year Waiting Period - Applicant: Electronic Data Systems

Ms. Day stated this is a request to waive the two-year waiting period for consideration of a rezoning request for 149.7± acres located on the northeast corner of Dallas North Tollway and Tennyson Parkway. Zoned Planned Development-65-Central Business-1 (PD-65-CB-1). Neighborhood #16. Staff recommended that a waiver of the two-year waiting period be granted if the Planning & Zoning Commission finds substantive reasons for granting the request.

Ron Skipper, representing the applicant, answered Commissioners' questions regarding the amount of townhomes in the plan and the previous plans for office and retail construction at the location.

After a brief discussion, Commissioner Neukranz made a motion to waive the two-year waiting period. Commissioner Flick seconded the motion, which passed 8-0.

There being no further discussion, Chairman Dunlap adjourned the meeting at 8:23 p.m.

Planning & Zoning Commissioner

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