



**AGENDA
PLANNING AND ZONING
COMMISSION**

**REGULAR MEETING – 7:00 P.M.
TUESDAY, JULY 21, 2009
ALLEN CITY HALL – COUNCIL CHAMBERS
305 CENTURY PARKWAY
ALLEN, TEXAS**

Call to Order and Announce a Quorum is Present

Pledge of Allegiance

1. **Directors Report:** Action taken on the Planning & Zoning items by City Council at the July 14, 2009 City Council meeting.

Consent Agenda

2. Approve minutes of the July 7, 2009 meeting.
3. Final Plat – Consider a Final Plat for Greenville Center Addition, Lots 5 – 7, Block A, for Whataburger. The property is 5.0607± acres located southwest of Stacy Road and SH5. FP-6/15/09-45
4. Final Plat – Consider a Final Plat for Lot 1, Block 1, TXDC2. The property is 34.0± acres located northeast of Stacy Road and Chelsea Boulevard. FP-6/26/09-51

Regular Agenda

5. Public Hearing – Conduct a Public Hearing and consider a request to change the zoning for 6.962± acres out of PD Planned Development No. 6 for SC Shopping Center to CF Community Facilities to allow for a church. The property is 6.962± acres located in Fountain Park #01, Lots 1A and 1B; located at the northeast corner of Greenville Ave. and Rivercrest Blvd. Z-6/9/09-43

Executive Session (As needed)

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Adjournment

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, July 17, 2009, at 5:00 p.m.

Shelley B. George, City Secretary

305 Century Parkway • Allen, Texas 75013
214-509-4100 • FAX 214-509-4590
EMAIL: coa@cityofallen.org WEBSITE: www.cityofallen.org

Director's Report from 7/14/09 City Council Meeting

There was one item taken to the July 14, 2009 City Council meeting for consideration. A public hearing was held and an ordinance amending Article VII, Section 7.03.5, Utility Services and Article VIII, Section 8.10, Extensions of Water and Wastewater Mains, Subsection 4. Underground Utilities was adopted by the City Council.



**PLANNING AND ZONING
COMMISSION**

**Regular Meeting
July 7, 2009**

ATTENDANCE:

Commissioners Present:

Jeff Cocking
Douglas Dreggors
Alan Grimes
Marcelle Jones
Shirley Mangrum
James Rushing
Robert Wendland

Commissioners Absent:

None

City Staff Present:

Ogden "Bo" Bass, AICP, Director of Planning & Development
Chris Flanigan, P.E., Assistant Director of Engineering
Helen-Eve Liebman, Senior Planner
Kevin Laughlin, Attorney

Call to Order and Announce a Quorum is Present:

With a quorum of the Commissioners present, Chairman Wendland called the meeting to order at 7:00 p.m. in the City Hall Council Chambers at Allen City Hall, 305 Century Parkway.

Director's Report

1. Director's Report is attached for action taken on the Planning & Zoning items by City Council at the 6/09/09 City Council meeting.

Director's Report is attached for action taken on the Planning & Zoning items by City Council at the 6/23/09 City Council meeting.

Consent Agenda

6. Approve minutes of the June 2, 2009 meeting.
7. Final Plat – Consider a Final Plat for Morgan Crossing, Phase 3, Lots 1-22 Block A and Lots 1-35 Block B, being 14.864± acres located at the southwest corner of Angel Parkway and Chaparral Drive. (Z-6/30/08-74)

Motion: Upon a motion by Commissioner Grimes, and a second by Commissioner Rushing, the Commission voted 7 IN FAVOR, and 0 OPPOSED, to approve the Consent Agenda. The motion carried.

Regular Agenda

Agenda Item #4: Public Hearing – Conduct a Public Hearing and consider amendments to the Allen Land Development Code Zoning Regulations and Subdivision Ordinance by amending the Allen Land Development Code Section 7.03.5, Utility Services, Section 8.10 Extensions of Water and Wastewater Mains, Subsection 4, Underground Utilities, to exclude the burial of existing overhead electrical, television, and telephone/telecommunications utilities. (Z-4/27/09-37)

Ogden “Bo” Bass, Director of Planning and Development, reviewed the previous presentations to the Planning and Zoning Commission and City Council on May 15, 2009 Planning & Zoning Commission Meeting, June 9, 2009 City Council, and June 16, 2009 a Joint Planning & Zoning Commission and City Council Workshop. The result of the discussions at the previous meetings provided direction to amend the Allen Land Development Code by clarifying the City of Allen’s policy of the requirement of overhead utilities to be placed underground at the time of development.

The pros and cons of the requirement were presented as a review from previous meetings.

The amendments proposed were the addition to Section 7.03.5. Utility Services

- 9. Existing overhead electrical, television, and/or telephone/telecommunication utilities located on the developing property or adjacent right-of-way shall be excluded from the requirement to be placed underground;
- and the addition to Section 8.10. Extensions of Water & Wastewater Mains
- j. Existing overhead electrical, television, and/or telephone/telecommunication utilities located on the developing property or adjacent right-of-way shall be excluded from the requirement to be placed underground.

Staff recommends approval.

Chairman Wendland opened the Public Hearing.

With no one wishing to speak, Chairman Wendland closed the Public Hearing.

Chairman Wendland stated that the amendments clarified the requirements and asked the Commission if there were any questions. There were no questions.

Motion: Upon a motion by Commissioner Grimes, and a second by Commissioner Rushing, the Commission voted 7 IN FAVOR, and 0 OPPOSED, to approve Item 4. The motion carried.

Adjournment

Motion: Upon a motion by Commissioner Dreggors and seconded by Chairman Wendland the Commission voted 7 IN FAVOR and 0 OPPOSED to adjourn the Planning and Zoning Commission meeting at 7:14 p.m.

These minutes approved this _____ day of _____ 2009.

Robert Wendland, Chairman

Helen-Eve Liebman, Senior Planner

Director's Report from 6/09/09 City Council Meeting

There was one item taken to the June 9, 2009 City Council meeting for consideration. The ALDC amendment clarifying the requirement to relocate overhead utility lines was presented to the Council and tabled until the July 14, 2009 meeting.

Director's Report from 6/23/09 City Council Meeting

There was one item taken to the June 23, 2009 City Council meeting for consideration. The City Council conducted a Public Hearing and adopted an ordinance amending PD Planned Development 54, Tract 11, by changing the zoning from IT Industrial Technology to MF-18 Multi-family to allow for The Aspens at Twin Creeks adult senior community.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: July 21, 2009

SUBJECT: Consider a Final Plat for Greenville Center Addition, Lots 5-7, Block A, for Whataburger. The property is 5.0607± acres located southwest of Stacy Road and SH5.

STAFF RESOURCE: Tiffany McLeod
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: A General Development Plan was approved October, 2007, and a Preliminary Plat was approved February 5, 2008.

BACKGROUND

The property is located at the southwest corner of State Highway 5 and Stacy Road. The property to the north, across Stacy Road, is the Town of Fairview. The property to the east, across State Highway 5 is zoned SC Shopping Center; the property to the east is zoned CC Corridor Commercial, and R-6 Residential. The property to the south is also zoned R-6 Residential.

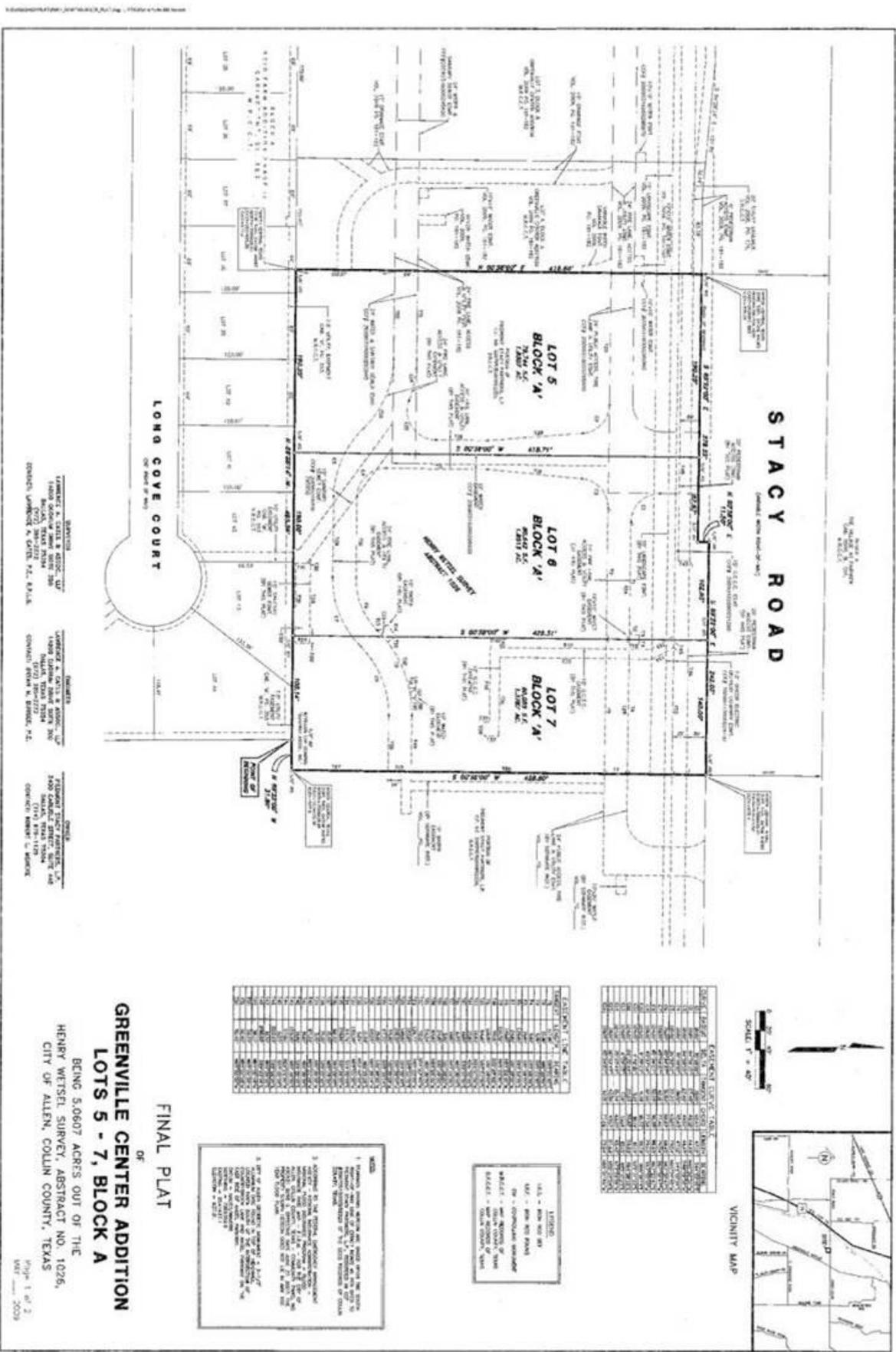
The plat meets all the standards of the Allen Land Development Code and is consistent with the General Development Plan and Preliminary Plat.

STAFF RECOMMENDATION

Approval

ATTACHMENT

Final Plat



STACY ROAD

LONG COVE COURT

**LOT 5
BLOCK 'A'**

**LOT 6
BLOCK 'A'**

**LOT 7
BLOCK 'A'**

OWNER
 GREENVILLE CENTER ADDITION, LTD.
 1400 GARDNER DRIVE, SUITE 300
 DALLAS, TEXAS 75244
 COUNTY: TARRANT, P.L. #1416

PREPARED BY
 HENRY WEITSEL SURVEYING, L.P.
 1400 GARDNER DRIVE, SUITE 300
 DALLAS, TEXAS 75244
 COUNTY: TARRANT, P.L. #1416

DATE
 2009

FINAL PLAT
 OF
GREENVILLE CENTER ADDITION
LOTS 5 - 7, BLOCK A
 BEING 5.0607 ACRES OUT OF THE
 HENRY WEITSEL SURVEY, ABSTRACT NO. 1026,
 CITY OF ALLEN, COLLIN COUNTY, TEXAS



EXISTING RECORDS

BOOK	PAGE	DATE	DESCRIPTION
1026	1	10/26/06	Final Plat
1026	2	10/26/06	Final Plat
1026	3	10/26/06	Final Plat
1026	4	10/26/06	Final Plat
1026	5	10/26/06	Final Plat
1026	6	10/26/06	Final Plat
1026	7	10/26/06	Final Plat
1026	8	10/26/06	Final Plat
1026	9	10/26/06	Final Plat
1026	10	10/26/06	Final Plat
1026	11	10/26/06	Final Plat
1026	12	10/26/06	Final Plat
1026	13	10/26/06	Final Plat
1026	14	10/26/06	Final Plat
1026	15	10/26/06	Final Plat
1026	16	10/26/06	Final Plat
1026	17	10/26/06	Final Plat
1026	18	10/26/06	Final Plat
1026	19	10/26/06	Final Plat
1026	20	10/26/06	Final Plat
1026	21	10/26/06	Final Plat
1026	22	10/26/06	Final Plat
1026	23	10/26/06	Final Plat
1026	24	10/26/06	Final Plat
1026	25	10/26/06	Final Plat
1026	26	10/26/06	Final Plat
1026	27	10/26/06	Final Plat
1026	28	10/26/06	Final Plat
1026	29	10/26/06	Final Plat
1026	30	10/26/06	Final Plat
1026	31	10/26/06	Final Plat
1026	32	10/26/06	Final Plat
1026	33	10/26/06	Final Plat
1026	34	10/26/06	Final Plat
1026	35	10/26/06	Final Plat
1026	36	10/26/06	Final Plat
1026	37	10/26/06	Final Plat
1026	38	10/26/06	Final Plat
1026	39	10/26/06	Final Plat
1026	40	10/26/06	Final Plat
1026	41	10/26/06	Final Plat
1026	42	10/26/06	Final Plat
1026	43	10/26/06	Final Plat
1026	44	10/26/06	Final Plat
1026	45	10/26/06	Final Plat
1026	46	10/26/06	Final Plat
1026	47	10/26/06	Final Plat
1026	48	10/26/06	Final Plat
1026	49	10/26/06	Final Plat
1026	50	10/26/06	Final Plat

LEGEND

S.S. - SURVEY STAKE
 S.P. - SURVEY PIN
 S.C. - SURVEY CORNER
 S.B. - SURVEY BENCH
 S.M. - SURVEY MARK
 S.L. - SURVEY LINE
 S.A. - SURVEY AREA
 S.D. - SURVEY DISTANCE
 S.T. - SURVEY TIME
 S.F. - SURVEY FORCE
 S.V. - SURVEY VALUE
 S.W. - SURVEY WEIGHT
 S.H. - SURVEY HEIGHT
 S.L. - SURVEY LENGTH
 S.W. - SURVEY WIDTH
 S.A. - SURVEY AREA
 S.D. - SURVEY DISTANCE
 S.T. - SURVEY TIME
 S.F. - SURVEY FORCE
 S.V. - SURVEY VALUE
 S.W. - SURVEY WEIGHT
 S.H. - SURVEY HEIGHT

NOTES

1. THIS PLAT IS A FINAL PLAT AND SHALL BE THE ONLY RECORD OF THE SURVEY. IT IS HEREBY CERTIFIED THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF TEXAS.
2. THE SURVEY WAS MADE BY HENRY WEITSEL SURVEYING, L.P. ON 10/26/06. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF TEXAS.
3. THE SURVEY WAS MADE BY HENRY WEITSEL SURVEYING, L.P. ON 10/26/06. THE SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF TEXAS.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: July 21, 2009

SUBJECT: Consider a request for a Final Plat for TxDC2, Lot 1, Block 1. The property is 34.0± acres located northeast of Stacy Road and Chelsea Boulevard.

STAFF RESOURCE: Tiffany McLeod
Planner

**PREVIOUS COMMISSION/
COUNCIL ACTION:** Zoning amendment adopted by City Council May 12, 2009, and a Preliminary Plat was approved June 2, 2009.

BACKGROUND

The property is located north of Stacy Road and east of Chelsea Boulevard. The property to the north is zoned AO Agriculture Open Space, the property to the east is zoned CC Corridor Commercial; the property to the south is zoned PD Planned Development No. 78 for CC Corridor Commercial; the property to the west, across Chelsea Blvd., is zoned PD Planned Development No. 92 for R7 Residential and SC Shopping Center; the property northwest of the subject property is zoned PD Planned Development No. 36 for IT Industrial Technology.

The plat meets all the standards of the Allen Land Development Code and is consistent with the Concept Plan for the PD and the Preliminary Plat.

STAFF RECOMMENDATION

Approval

ATTACHMENTS

Final Plat

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: July 21, 2009

SUBJECT: Conduct a Public Hearing and consider a request to change the zoning for 6.962± acres out of PD Planned Development No. 6 for SC Shopping Center to CF Community Facilities to allow for a church. The property is 6.962± acres located in Fountain Park #01, Lots 1A and 1B; located at the northeast corner of Greenville Ave. and Rivercrest Blvd.

STAFF RESOURCE: Helen-Eve Liebman
Senior Planner

**PREVIOUS BOARD/
COUNCIL ACTION:** None

PUBLIC NOTICE: Property Owner Notices Mailed: 7/10/09
Public Hearing Sign Installed: 7/10/09

BACKGROUND

The property is located east of Greenville Avenue and north of Rivercrest Boulevard. The property to the north and east is zoned PD Planned Development 1 for R-5 residential uses. The property to the south is zoned PD Planned Development 6 for SC Shopping Center uses. The property to the west, across Greenville Avenue is zoned CF and is the Allen High School.

The applicant, Bethany Worship Center, is proposing to rezone the property from PD Planned Development 6 for Shopping Center to CF Community Facilities to allow for a church. As practice, the City of Allen prefers not to rezone shopping center zoning to a less intense district, however the site is adjacent to Allen Independent School District (AISD) property and is not necessarily considered desirable to various restaurant users or convenience services that may want to sell alcohol. The site also includes a number of existing trees and the mitigation fees associated with developing the site as a shopping center may have seemed financially challenging. The placement of shopping center zoning in a location referred to as “mid block”, a substantial distance from major thoroughfare intersections, impacts the location’s reduced attractiveness for a shopping center. Based on the location and surrounding land uses a church use is appropriate for this property.

The submission of a Land Use Plan as required for a straight district zoning application (not a PD Planned Development) is included in this communication for your general understanding of how the site may be developed. There are no special development regulations included in the request and the applicant has been advised of required compliance with the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval

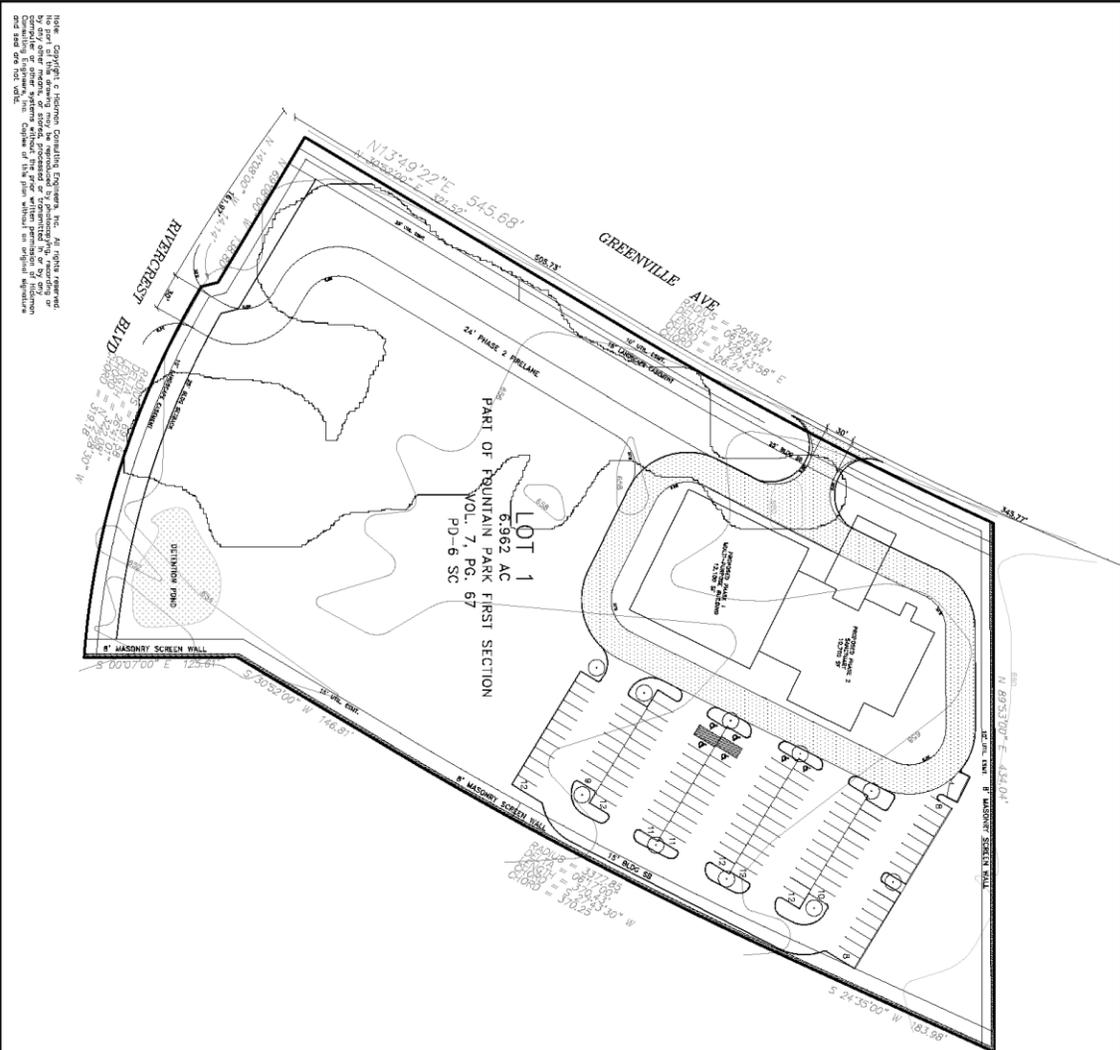
ATTACHMENTS

Location Map

Land Use Plan

Property Notice

Property Ownership Notification Map



FLOOD PLAN NOTE:
 ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) PANEL 1302001001, THE SUBJECT TRACT APPEARS TO BE OUTSIDE THE 100-YEAR FLOOD ZONE.

NOTES:
 1. ALL EXISTING UTILITIES, INCLUDING BUT NOT LIMITED TO, WATER, SEWER, GAS, AND TELEPHONE, SHALL BE SHOWN AS AN APPROPRIATE DATE DEVELOPMENT CODE.
 2. DETERMINATION SHALL BE BASED ON THE 100-YEAR FLOOD ZONE.

PRELIMINARY - NOT FOR CONSTRUCTION
 This document is prepared for the purpose of providing information only under the authority of the Professional Engineer, HICKMAN CONSULTING ENGINEERS, INC. ALL INFORMATION IS SUBJECT TO CHANGE WITHOUT NOTICE.
 ALLEN, TEXAS
 HICKMAN CONSULTING ENGINEERS, INC.
 5440 STATE HIGHWAY 78 SOUTH
 P.O. BOX 08
 COPPERVILLE, TEXAS 76121
 (972) 487-8888 • (877) 782-8854 fax
 mark@hickmanconsulting.com
 Engineers • Planners

LAND USE PLAN
 BETHANY WORSHIP CENTER

REVISION	DESCRIPTION	DATE	BY
1	ISSUED		

SCALE: 1" = 40'
DATE: JUN/2009
REVISED: NONE
CHK'D BY: MHH
JOB NO: 9018-2B
FILE: 9018B-B04D09
DATE: 06/18/2009

LAND USE PLAN
 BETHANY WORSHIP CENTER
 ALLEN, TEXAS
 BETHANY WORSHIP CENTER
 P.O. BOX 1776
 ALLEN, TX 75013-8042

LEGEND

- 8' MASONRY SCREEN WALL
- FIRE LANE
- TREE MASSES



SITE SUMMARY - PHASE 1

ZONING	PD-6 SC (Special)	CF (Proposed)
PROPOSED USE	CHURCH	
LOT AREA	6.982 AC (303,240 SF)	
BUILDING AREA TOTAL	12,100 SF (SPRINGFIELD)	
BUILDING HEIGHT (1-STORY)	20'	
REQUIRED TOTAL	117 SPACES	
1/2 STAIRS	117 SPACES	
1/4 STAIRS	117 SPACES	
PROVIDED TOTAL	117 SPACES 8 1/2'	

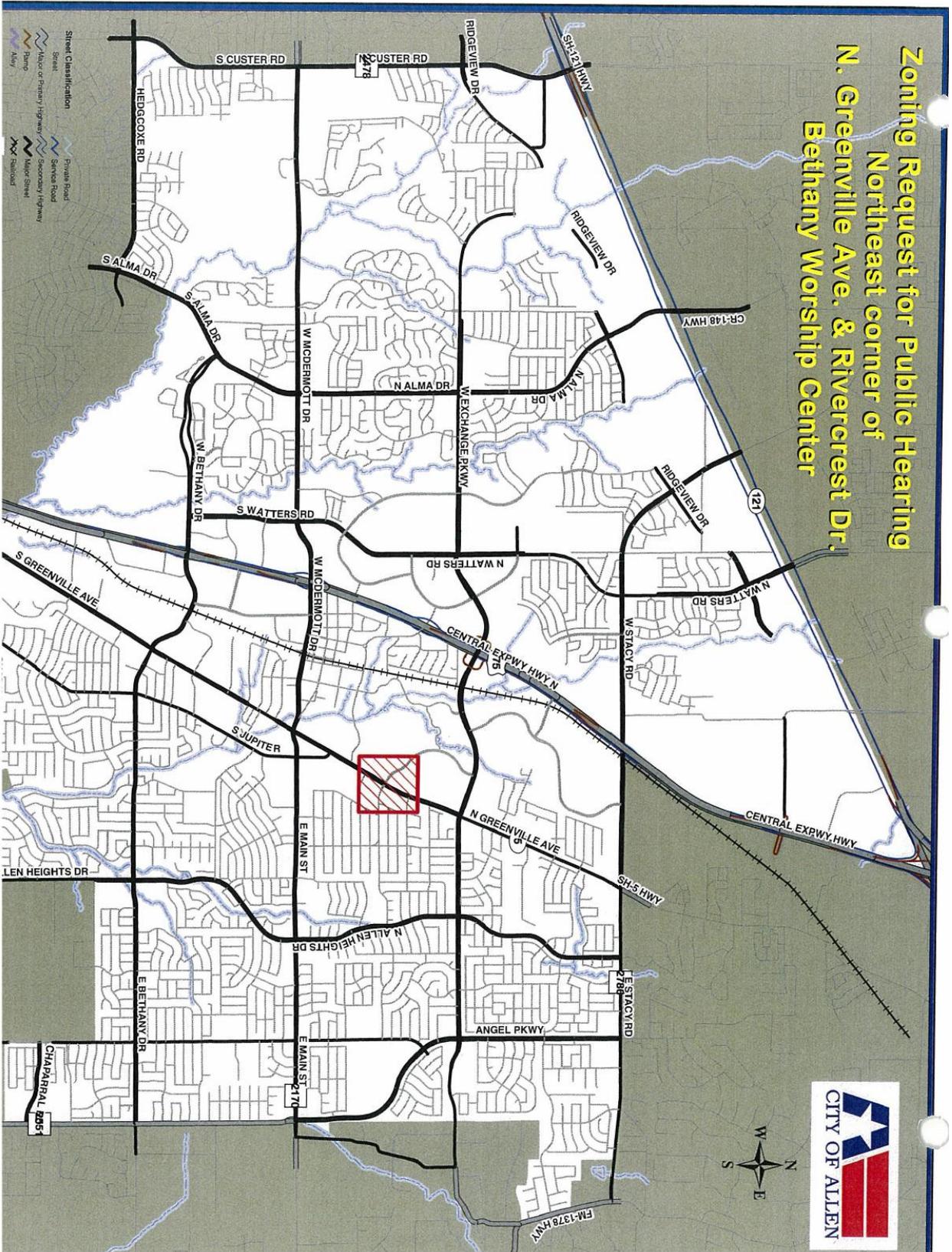
SITE SUMMARY - PHASE 2

ZONING	PD-6 SC (Special)	CF (Proposed)
PROPOSED USE	CHURCH	
LOT AREA	6.982 AC (303,240 SF)	
BUILDING AREA TOTAL	16,200 SF (SPRINGFIELD)	
BUILDING HEIGHT (1-STORY)	20'	
REQUIRED TOTAL	117 SPACES	
3/4 STAIRS	117 SPACES 8 1/2'	
1/4 STAIRS	117 SPACES 8 1/2'	
PROVIDED TOTAL	117 SPACES 8 1/2'	

LANDSCAPING

LANDSCAPING COVER	31% (107,238 SF)
LOT COVER/SCREEN	7.2% (23,800 SF), 8.07%

Zoning Request for Public Hearing
N. Greenville Ave. & Rivercrest Dr.
Bethany Worship Center





**NOTICE OF PUBLIC HEARING TO
PROPERTY OWNER WITHIN 200 FEET OF PROPERTY
SUBJECT TO PROPOSED ZONING CHANGE
ZONING CASE Z-6/9/09-43 (Bethany Worship Center)**

The Allen Planning & Zoning Commission will conduct a public hearing on July 21, 2009, at 7:00 p.m. in the Allen City Hall Council Chambers, 305 Century Parkway, Allen, Texas, to consider the zoning case as described below:

- The property is 6.962± acres in Fountain Park #01, Lots 1A and 1B; located at the northeast corner of Greenville Ave. and Rivercrest Blvd.

CURRENT ZONING: The property is currently zoned PD Planned Development No. 6 for SC Shopping Center.

REQUESTED ZONING: The request is to change the zoning for 6.962± acres out of PD Planned Development No. 6 for SC Shopping Center to CF Community Facilities to allow for a church.

According to the current Collin County tax records, you are the owner of property within 200 feet of the property which is the subject of the proposed zoning change case. The meeting shown above is open to the public, and you will have the right to speak for or against the proposed zoning change during the public hearing portion of the meeting. You may also register your opinion by returning this form to the Department of Planning & Development, 305 Century Parkway, Allen Texas, 75013 or by fax at (214) 509-4179.

The Planning & Zoning Commission forwards its recommendations for any zoning change to the City Council after conducting a public hearing. Cases recommended for approval are automatically scheduled for a public hearing before the City Council. Cases recommended for denial may be appealed by the applicant within thirty (30) days. At that time a hearing will be scheduled before the City Council.

You may contact the Planning Department, 305 Century Parkway, Allen, Texas, 75013 for additional information, or contact Helen-Eve Liebman at 214-509-4172, or e-mail at hliebman@cityofallen.org

✂ Cut here

ZONING CASE Z- 6/9/09-43 (Bethany Worship Center)

Members of the Planning & Zoning Commission:

I, _____, with property located at _____, Allen, Texas
(NAME) (ADDRESS)

___ Support

___ Oppose

The proposed zoning changes for the following reasons:

SIGNATURE

DATE



BETRAYN WORKS-UP CENTER
 Property Ownership Notification

Map Legend

- Red hatched
- Existing Work project
- City Limit
- Property Boundary



Planning & Development
 1111 W. Walnut Street, Suite 100
 Allen, TX 75013

