



**AGENDA  
CITY OF ALLEN  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING – 7:00 P.M.  
TUESDAY, FEBRUARY 19, 2013  
COUNCIL CHAMBERS  
ALLEN CITY HALL  
305 CENTURY PARKWAY  
ALLEN, TEXAS 75013**

**Call to Order and Announce a Quorum is Present**

**Pledge of Allegiance**

**Director's Report**

1. Action taken on the Planning & Zoning Commission items by City Council at the February 12, 2013 regular meeting.

**Consent Agenda** *(Routine P&Z business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Commission member or member of staff.)*

2. Approve minutes from the February 5, 2013 regular meeting.
3. Final Plat – Consider a request for a Final Plat for The Landings, Phase 2. The property is 32.670± acres of land located southwest of Watters Road and Stacy Road. (FP-1/28/13-9) [The Landings, Phase 2]

**Regular Agenda**

4. Public Hearing – Conduct a Public Hearing and consider a request to amend the Development Regulations to increase the number of special events allowed and adopt a Temporary Use and Special Event Location Map for Planned Development No. 99. The property is Lot 1R and 2R, Block A, Watters Creek at Montgomery Farm, Phase 1, being 33.833± acres of land located in the Thomas G. Kennedy Survey, Abstract No. 500, City of Allen, Collin County, Texas; located south of Bethany Drive and west of Central Expressway/U.S. Highway 75. (Z-11/12/12-82) [Watters Creek]
5. Public Hearing – Conduct a Public Hearing and consider a request to amend Tracts “B” and “C” of Planned Development No. 76 to allow the property to be developed for Multi-Family MF-18 use and to adopt a Concept Plan, Development Regulations and Building Elevations for the property. The property is 29.001± acres of land located in the Thomas G. Kennedy Survey, Abstract No. 500, City of Allen, Collin County, Texas; located south of Bethany Drive and west of Central Expressway/U.S. Highway 75. (Z-11/19/12-87) [Watters Branch at Montgomery Farm]

**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, February 15, 2013, at 5:00 p.m.

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Shelley B. George, City Secretary

Allen City Hall is wheelchair accessible. Access to the building and special parking are available at the entrance facing Century Parkway. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 214-509-4105.

**Director's Report from 2/12/13 City Council Meeting**

There were no items taken to the February 12, 2013 City Council meeting for consideration.



**PLANNING AND ZONING  
COMMISSION**

**Regular Meeting  
February 5, 2013**

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**ATTENDANCE:**

**Commissioners Present:**

Robert Wendland, Chairman  
Jeff Cocking, 1<sup>st</sup> Vice Chair  
Shirley Mangrum, 2<sup>nd</sup> Vice Chair  
Barbara McNutt  
John Ogrizovich  
Steven Platt, Jr.  
Ben Trahan

**City Staff Present:**

Ogden "Bo" Bass, AICP, Director of Community Development  
Lee Battle, AICP, Assistant Director of Community Development  
Shawn Poe, PE, Assistant Director of Engineering  
Tiffany McLeod, Senior Planner  
Shelby Griffin, Planner  
Kevin Laughlin, City 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. Action taken on the Planning & Zoning Commission items by City Council at the January 22, 2013 regular meeting.

**Consent Agenda**

2. Approve minutes from the January 15, 2013 regular meeting.
3. Receive the Capital Improvement Program (CIP) Status Report.
4. Combination Plat – Consider a request for a Combination Plat for 7-Eleven, Custer Hedgcoxe Addition, Lot 1, Block A. The property is 1.31± acres located at the northeast corner of Custer Road and Hedgcoxe Road. (FP-12/21/13-91) [7-Eleven-Custer Hedgcoxe Addition]

Commissioner Ogrizovich asked to remove Agenda Item #2.

**Motion:** Upon a motion by 1<sup>st</sup> Vice Chair Cocking, and a second by 2<sup>nd</sup> Vice Chair Mangrum, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve Agenda Items #3 and #4 on the Consent Agenda.

**The motion carried.**

Commissioner Ogrizovich asked to correct the minutes to show that he was absent at the January 15, 2013 meeting.

**Motion:** Upon a motion by Commissioner Ogrizovich, and a second by Commissioner Platt, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve Agenda Item #2 on the Consent Agenda with the correction.

**The motion carried.**

### **Regular Agenda**

**Agenda Item #5** Preliminary Plat – Consider a request for a Preliminary Plat for Belmont, being 9.85± acres located south of Stacy Road and east of Angel Parkway. (PP-12/21/12-92) [Belmont]

Ms. Tiffany McLeod, Senior Planner, presented to the Commission. The property is located south of Stacy Road; between Angel Parkway and Goodman Drive. The property is currently zoned Planned Development No. 61 Single Family Residential R-6. The property to the east (across Goodman Drive) is zoned Single Family Residential R-3. The property to the west (across Angel Parkway) is zoned Planned Development No. 69 Shopping Center SC and Single Family Residential SF. The property to the south is zoned Planned Development No. 61 Single Family Residential SF. The property to the north is zoned Planned Development No. 61 Shopping Center SC.

A Concept Plan for the property was approved in January 2013. The Preliminary Plat is the next step in the development process. The plat shows thirty-two (32) single-family residential lots, eight (8) open space lots and one (1) drainage and detention area lot. There are two access points into the site; one access point off of Angel Parkway and one access point off of Goodman Drive. The plat also shows various easements necessary to develop the site.

Ms. McLeod reminded the Commission that the plat notes reference the PD provisions; which include an enhanced detention analysis, specific garage orientation for Lots 13, 14, 24 and 25 and responsibilities for detention pond maintenance.

The Preliminary Plat has been reviewed by the Technical Review Committee, is consistent with the approved PD Concept Plan and meets the standards of the *Allen Land Development Code ALDC*.

**Motion:** Upon a motion by Commissioner Platt, and a second by Commissioner Trahan, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Preliminary Plat for Belmont.

**The motion carried.**

**Agenda Item #6**

Residential Replat/Public Hearing – Conduct a Public Hearing and consider a request for a Residential Replat for Lots 1R-18R, Block A, Lots 1R-14R, Block B, and Lots 11R-18R, Block C for Villas of Cottonwood Creek, Phase 2; being a replat of Lots 1-20, Block A, Lots 1-17, Block B, and Lots 11-20, Block C; located south of Stacy Road and east of Curtis Lane. (R-12/10/13-90) [Villas of Cottonwood Creek, Phase 2]

Ms. Tiffany McLeod presented to the Commission. The property is located south of Stacy Road and east of Curtis Lane. The property to the north (across Stacy Road) is zoned Planned Development No. 92 Single Family Residential R-7 and Community Facilities CF. The property to the east is zoned Planned Development No. 93 Townhome TH. The property to the west (across Curtis Lane) is zoned Planned Development No. 86 Single Family Residential R-6 and Shopping Center SC. The property to the south is zoned Planned Development No. 93 for Townhome TH.

She explained that in November 2012, Planned Development PD No. 93 was amended to incorporate a revised Concept Plan into the ordinance. The Concept Plan changed the lot configuration from forty-five (45) townhome units to forty (40) duplex units.

A replat of the property is the last step in the development process to secure this new lot configuration. The Villas of Cottonwood Creek, Phase 2 Replat shows forty (40) residential lots and various easements required for this phase of the development. The open space and right-of-way dedication are consistent with the original Final Plat.

Ms. McLeod added that the Replat has been reviewed by the Technical Review Committee, is consistent with the approved Concept Plan and meets the standards of the *ALDC*.

Chairman Wendland opened the Public Hearing.

With no one coming forward the Public Hearing was closed.

**Motion:**           **Upon a motion by Commissioner Platt, and a second by Commissioner Trahan, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Residential Replat for the Villas of Cottonwood Creek, Phase 2.**

**The motion carried.**

**Agenda Item #7**

Replat / Public Hearing– Conduct a Public Hearing a consider a request for a Replat for Kids R Kids Addition, Lots 1R, 3, & 4, Block A, located north of Exchange Parkway and west of Alma Drive. (R-1/21/13-7) [Kids R Kids Addition, Lots 1R, 3 & 4]

Ms. Shelby Griffin, Planner, presented to the Commission. The property is located northwest of Exchange Parkway and Alma Drive. The property to the north is zoned Planned Development PD No. 53 for Single Family Residential R-6 and PD No. 53 for Shopping Center SC; the property to the east, across Alma Drive, is zoned Shopping Center SC; the property to the south, across Exchange Parkway, is zoned

Planned Development PD No. 54 for Single Family Residential SF; the property to the west is zoned Planned Development PD No. 53 for Shopping Center SC and PD No. 53 Community Facilities CF.

Ms. Griffin explained that the General Development Plan was amended in October of 2012 by Legacy ER medical clinic. Staff has approved the Site Plan for Legacy ER and the last step in the development process is to replat the property. Lot 1 is being replatted into three lots, those being Lots 1R, 3, and 4. Lot 3 is the proposed location for the medical clinic use.

There are two existing access points into the Kids R Kids commercial subdivision; one being off of Alma Drive and one being off of Exchange Parkway.

An additional access and utility easement is located along the south and part of the east side of Lot 3 where it connects into the existing fire lane on Lot 1R. This replat also shows various landscape, utility, and drainage easements.

Ms. Griffin added that the Replat has been reviewed by the Technical Review Committee and is consistent with the approved General Development Plan and meets the standards of Planned Development No. 53 and the *ALDC*.

Chairman Wendland opened the Public Hearing.

With no one coming forward to speak the Public Hearing was closed.

**Motion:**           **Upon a motion by Commissioner McNutt, and a second by Commissioner Platt, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Replat for Kids R Kids, Lot 1R, 3 & 4.**

**The motion carried.**

**Agenda Item #8**           Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit for a Gymnastics and Sports Training Facility use for Envy Cheer. The property is Tract G & H, Allen Business Centre and commonly known as 21 Prestige Circle, Allen, TX. (SUP-1/8/13-4) [Envy Cheer]

Ms. Shelby Griffin, presented to the Commission. The property is located north of Prestige Circle and west of Greenville Avenue. The property to the north is zoned Planned Development PD No. 3 for Multifamily MF-12. The property to the west, east, and south is zoned Planned Development PD No. 3 for Light Industrial, LI.

The applicant is proposing to tenant a 7,780 square foot suite space in an existing building for a competitive cheerleading training facility. Staff categorizes this type of use as a Gymnastics and Sports Training Facility use.

The base zoning for the property is Planned Development No. 3 for Light Industrial LI use. The *Allen Land Development Code* requires a Specific Use Permit (SUP) for a Gymnastics and Sports Training Facility use within the Light Industrial zoning district.

Ms. Griffin added that in conjunction with submitting the SUP application, the applicant submitted a parking study that was reviewed and approved by the Director of Community Development and Director of Engineering. Through the parking study analysis, it was determined that 25 parking spaces is adequate for this use. There are 61 parking spaces on site.

There are no proposed changes to the exterior of the building and only minor changes to the building interior.

The SUP meets the standards of the *ALDC*.

Chairman Wendland opened the Public Hearing.

With no one coming forward to speak the Public Hearing was closed.

**Motion:**        **Upon a motion by Commissioner Platt, and a second by Commissioner Ogrizovich, the Commission voted 7 IN FAVOR, and 0 OPPOSED to recommend approval of the request for a Specific Use Permit for a Gymnastics and Sports Training Facility for Envy Cheer located at 21 Prestige Circle.**

**The motion carried.**

**Agenda Item #9**        Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit for a Gymnastics and Sports Training Facility use for Crossfit Ammo. The property is a portion of Lot 1, Block A, Allen Heights Shopping Center and commonly known as 1201 E. Main Street, suite 220, Allen, Texas. (SUP-1/7/13-3) [Crossfit Ammo]

Ms. Shelby Griffin presented to the Commission. The property is located north of Main Street and west of Allen Heights. The property to the north is zoned Planned Development PD No. 1 for Single Family Residential R-6; the property to the west is zoned Light Commercial LC; the property to the south, across Main Street, is zoned Planned Development PD No. 33 for Shopping Center SC; the property to the east, across Allen Heights, is zoned Planned Development PD No.1 for Local Retail LR.

The applicant is proposing to tenant a 1,870 square foot suite space in an existing building for a fitness facility. This facility specializes in programs that range from recreational fitness to competitive athletic conditioning. Staff categorizes this type of use as a Gymnastics and Sports Training Facility use.

The zoning for the property is Planned Development No. 1 for Shopping Center use. The *Allen Land Development Code* requires a Specific Use Permit (SUP) for a Gymnastics and Sports Training Facility use within the Shopping Center zoning district.

There are no proposed changes to the exterior of the building and only minor changes to the building interior. The required parking for this use is already provided for on the site.

The SUP meets the standards of the *ALDC*

Chairman Wendland opened the Public Hearing.



With no one choosing to come forward the Public Hearing was closed.

**Motion:** Upon a motion by 2<sup>nd</sup> Vice Chair Mangrum, and a second by Commissioner Trahan, the Commission voted 7 IN FAVOR, and 0 OPPOSED to recommend approval of the request for a Specific Use Permit for a Gymnastics and Sports Training Facility for Crossfit Ammo located at 1201 E. Main Street, Suite 220.

**The motion carried.**

**Agenda Item #10** Public Hearing – Conduct a Public Hearing and consider a request to amend Planned Development No. 54 for Industrial Technology IT to allow a Day Care use and adopt a Concept Plan, building elevations, and development regulations for Lot 2R-2E, Block G, Bray Central One Addition; located south of Exchange Parkway and east of Watters Road. (10/31/12-77) [Children’s Lighthouse]

Mr. Lee Battle, Assistant Director of Community Development, presented to the Commission. The property is located south of Exchange Parkway and east of Watters Road. The property to the north, across Exchange Parkway, is zoned PD Planned Development No. 108 for Mixed uses; the property to the west is zoned PD Planned Development No. 108 for SF Single Family; the property to the south is zoned PD Planned Development No. 108 for Office O; and the property to the east is zoned PD Planned Development No. 54 for Industrial Technology IT.

Mr. Battle explained that the applicant is proposing to build a Children’s Lighthouse daycare facility on this property. The Land Use Plan designates this area for office and industrial technology type uses. Development in this area has primarily been office, medical office and medical services, which is consistent with the Land Use Plan. Recently this general area was studied as part of the PD 108 (Twin Creeks Urban Center) zoning request, which also reaffirmed an emphasis on office and medical uses for land south of Exchange Parkway. Therefore, this property is considered highly suitable for continued office/medical services. A daycare in this location is considered a less desirable use and is inconsistent with the intentions of the Land Use Plan.

The Land Use Plan is implemented through zoning. The zoning districts that are used to implement office / industrial technology / medical service land uses include: Industrial Technology (IT), Light Industrial (LI), and Office (O). These districts exclude daycares as a permitted use. In addition, PD 108 (Twin Creeks Urban Center) does not permit daycares in most of its subdistricts including properties south of Exchange Parkway. As a result, the existing zoning of this property, and of other properties in the area, including recently zoned property, does not support the daycare use. Daycares are considered more suitable in other locations, generally closer to residential where they serve as a transitional use. The zoning districts that do permit daycares include MF (Multi-family), LR (Local Retail), CF (Community Facilities), LC (Light Commercial) and GB (General Business). Therefore, the proposed daycare is inconsistent with the land use and zoning for this area.

Mr. Battle described the property as being located mid-block along Exchange Parkway and that there will not be direct access for west bound traffic. Traffic that is on the “going home” side of Exchange Parkway will have to maneuver through adjacent parking lots and/or make potentially dangerous U-turns to access the site. This is a serious concern for a daycare use that generates significant daily traffic. Due to these access concerns, this site is not considered a suitable location for this use.

The proposed zoning request is inconsistent with the Land Use Plan, current zoning and recent zoning approvals. In addition, access for this specific location is limited and could be problematic for this type of use. Therefore staff recommends denial of this zoning request.

Commissioner Ogrizovich confirmed that the property to the south is an existing day care facility. Mr. Battle agreed that the property directly south of the subject site is an existing day care use.

1<sup>st</sup> Vice Chair Cocking inquired about the Technical Review Committee (TRC) review process. Mr. Battle explained that the case did go through the TRC review. At that time, the applicant was informed that staff did not support the use; however, the project was reviewed to meet the code requirements in the *ALDC*. 1<sup>st</sup> Vice Chair Cocking also asked if the traffic concerns were brought up during the TRC review. Mr. Battle explained that part of the development of this site includes the offsite improvements to mitigate the traffic concerns.

2<sup>nd</sup> Vice Chair Mangrum inquired about the number of day care services within a 1 mile location. Mr. Battle stated that there are approximately three within a half a mile of this location. 2<sup>nd</sup> Vice Chair Mangrum also inquired about the occupancy of those day cares. Mr. Battle did not know the occupancy load of the surrounding day care facilities.

Barry Knight, 2728 N. Hartwood, Dallas, applicant representative, addressed the Commission.

Chairman Wendland announced that Mayflower/ Jay Meng, 1150 N. Watters Rd., submitted a letter of support.

Chairman Wendland opened the Public Hearing.

Doug Conner, 9342 Forestridge, Dallas, spoke in opposition of the request.

With no one else choosing to come forward the Public Hearing was closed.

Commissioner Trahan stated his concern for the traffic related to this site.

Commissioner McNutt stated her concern for the traffic and congestion along Exchange Parkway.

Commissioner Platt stated he was not concerned with the use but was concerned with the traffic pattern.

1<sup>st</sup> Vice Chair Cocking stated that he was not concerned with the use. He was concerned with the potential for spot zoning and would like to see more comprehensive zoning for this area. Mr. Battle explained that when PD-108 was initiated, staff encouraged the applicants for PD-108 to include other property owners. Mr. Battle added that staff would like to see more consistent zoning across this area as well.

1<sup>st</sup> Vice Chair Cocking inquired about the Technical Review Committee's ability to stop the project because of concerns for traffic. Mr. Battle explained that the TRC committee does not have the authority to stop a zoning request. The applicant has the right to come forward to a public hearing. 1<sup>st</sup> Vice Chair Cocking inquired about the staff's opinion on the land use and relating it to the traffic concerns. Mr. Battle stated that the main issue is a land use issue and because of the traffic concerns, the applicant was asked to provide offsite improvements to mitigate as best as possible. 1<sup>st</sup> Vice Chair Cocking stated that he could move forward with the request.

2<sup>nd</sup> Vice Chair Mangrum stated that she would not be in support of this request because of traffic.

Commissioner Ogrizovich added that he is sure that the facility is a first class facility but would defer to staff's recommendation.

Chairman Wendland explained that he is not opposed to the day care use being adjacent to office use however, he is opposed to the project because of the traffic concerns for this site being mid-block on Exchange Parkway.

**Motion:**        Upon a motion by 2<sup>nd</sup> Vice Chair Mangrum, and a second by Commissioner McNutt, the Commission voted 6 IN FAVOR, and 1 OPPOSED (by 1<sup>st</sup> Vice Chair Cocking) to recommend denial of the zoning request for Lot 2R-2E, Block G, Bray Central One Addition for a day care use for Children's Lighthouse.

**The motion carried.**

### **Adjournment**

Upon acclamation, the meeting adjourned at 8:32 p.m.

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Robert Wendland, Chairman

\_\_\_\_\_  
Shelby Griffin, Planner

**Director's Report from 1/22/13 City Council Meeting**

There were no items taken to the January 22, 2013 City Council meeting for consideration.

## PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

**AGENDA DATE:** February 19, 2013

**SUBJECT:** Final Plat – Consider a request for a Final Plat for The Landings, Phase 2. The property is 32.670± acres of land located southwest of Watters Road and Stacy Road. (FP-1/28/13-9) [The Landings, Phase 2]

**STAFF RESOURCE:** Shelby Griffin  
Planner

**PREVIOUS COMMISSION/COUNCIL ACTION:** January and April, 2012 – Zoning Amended  
April, 2012 – General Development Plan Approved  
May, 2012 – Preliminary Plat Approved  
September, 2013 – Final Plat approved for Phase I

**PUBLIC NOTICE:** None

### **BACKGROUND**

The property is located south of Stacy Road and west of Watters Road. The property is zoned Single Family Residential (R-5). The property to the north is zoned Single Family Residential (R-5) for Phase 1 of The Landings. The property to the east is zoned Planned Development (PD) No. 86 for Single Family Residential (R-5). The property to the south is zoned Planned Development (PD) No. 54 for Industrial Technology (IT) and Single Family Residential (R-5). The property to the west is zoned Planned Development (PD) No. 77 for Single Family Residential (R-5).

Phase 2 of The Landings is 32.670± acres and shows 121 residential lots. This phase is situated in between the northern portion of The Landing Phase 1 and part of the southern portion of The Landings Phase 1.

Oak Point Drive was built with the development of Phase 1 and provides access to the residential lots within Phase 2 as well as providing a connection to through The Landings Phase 1 to the access point on Stacy Road and Hopewell Drive.

There is a wall maintenance easement that runs along the southern boundary of Phase 2. A tree preservation easement spans along the south, east and western boundaries of the site. The thirty (30) foot road and utility easement on the east and west boundary of the site, where an existing road was located, will be abandoned by this plat. This plat also shows various drainage and utility easements.

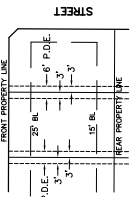
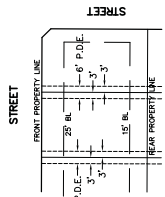
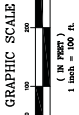
The Final Plat has been reviewed by the Technical Review Committee and meets the standards of the Allen Land Development Code. The Final Plat is consistent with the approved Preliminary Plat and General Development Plan.

### **STAFF RECOMMENDATION**

Approval

### **ATTACHMENTS**

Final Plat



LINE	BEARING	LINE	DISTANCE
L1	N 10° 14' 27" W	L1	14.42
L2	N 01° 44' 27" W	L2	16.49
L3	N 01° 44' 27" W	L3	11.42
L4	S 01° 44' 27" W	L4	11.42
L5	N 01° 44' 27" W	L5	11.42
L6	N 01° 44' 27" W	L6	73.84
L7	N 01° 44' 27" W	L7	28.26
L8	N 01° 44' 27" W	L8	28.26
L9	S 04° 44' 27" E	L9	73.84
L10	S 01° 44' 27" E	L10	73.84
L11	S 01° 44' 27" E	L11	122.50
L12	S 01° 44' 27" E	L12	122.50
L13	S 01° 44' 27" E	L13	82.23
L14	S 01° 44' 27" E	L14	62.23
L15	S 01° 44' 27" E	L15	28.26
L16	S 01° 44' 27" E	L16	28.26
L17	N 01° 44' 27" W	L17	28.26
L18	N 01° 44' 27" W	L18	97.03
L19	N 01° 44' 27" W	L19	21.21
L20	N 01° 44' 27" W	L20	21.21
L21	S 04° 44' 27" E	L21	21.21
L22	S 04° 44' 27" E	L22	21.21
L23	S 04° 44' 27" E	L23	21.21
L24	S 04° 44' 27" E	L24	21.21
L25	N 01° 44' 27" W	L25	21.21
L26	N 01° 44' 27" W	L26	21.21
L27	N 01° 44' 27" W	L27	21.21
L28	N 01° 44' 27" W	L28	21.21
L29	N 01° 44' 27" W	L29	21.21
L30	N 01° 44' 27" W	L30	21.21
L31	N 01° 44' 27" W	L31	21.21
L32	N 01° 44' 27" W	L32	21.21
L33	N 01° 44' 27" W	L33	21.21
L34	N 01° 44' 27" W	L34	21.21
L35	N 01° 44' 27" W	L35	21.21
L36	N 01° 44' 27" W	L36	21.21
L37	S 04° 44' 27" E	L37	20.97
L38	S 04° 44' 27" E	L38	21.21
L39	S 04° 44' 27" E	L39	21.21
L40	S 04° 44' 27" E	L40	21.21

NO.	CURVE TABLE			CHORD BEARING
	DELTA	RADIUS	LENGTH	
C1	0.033333	225.00	0.76	93.46
C2	0.033333	225.00	0.76	93.46
C3	0.033333	225.00	0.76	93.46
C4	0.033333	225.00	0.76	93.46
C5	0.033333	225.00	0.76	93.46
C6	0.033333	225.00	0.76	93.46
C7	0.033333	225.00	0.76	93.46
C8	0.033333	225.00	0.76	93.46
C9	0.033333	225.00	0.76	93.46
C10	0.033333	225.00	0.76	93.46
C11	0.033333	225.00	0.76	93.46
C12	0.033333	225.00	0.76	93.46
C13	0.033333	225.00	0.76	93.46
C14	0.033333	225.00	0.76	93.46
C15	0.033333	225.00	0.76	93.46
C16	0.033333	225.00	0.76	93.46
C17	0.033333	225.00	0.76	93.46
C18	0.033333	225.00	0.76	93.46
C19	0.033333	225.00	0.76	93.46
C20	0.033333	225.00	0.76	93.46
C21	0.033333	225.00	0.76	93.46
C22	0.033333	225.00	0.76	93.46
C23	0.033333	225.00	0.76	93.46
C24	0.033333	225.00	0.76	93.46
C25	0.033333	225.00	0.76	93.46
C26	0.033333	225.00	0.76	93.46
C27	0.033333	225.00	0.76	93.46
C28	0.033333	225.00	0.76	93.46
C29	0.033333	225.00	0.76	93.46
C30	0.033333	225.00	0.76	93.46
C31	0.033333	225.00	0.76	93.46
C32	0.033333	225.00	0.76	93.46
C33	0.033333	225.00	0.76	93.46
C34	0.033333	225.00	0.76	93.46
C35	0.033333	225.00	0.76	93.46
C36	0.033333	225.00	0.76	93.46
C37	0.033333	225.00	0.76	93.46
C38	0.033333	225.00	0.76	93.46
C39	0.033333	225.00	0.76	93.46
C40	0.033333	225.00	0.76	93.46
C41	0.033333	225.00	0.76	93.46
C42	0.033333	225.00	0.76	93.46
C43	0.033333	225.00	0.76	93.46
C44	0.033333	225.00	0.76	93.46
C45	0.033333	225.00	0.76	93.46
C46	0.033333	225.00	0.76	93.46
C47	0.033333	225.00	0.76	93.46
C48	0.033333	225.00	0.76	93.46
C49	0.033333	225.00	0.76	93.46
C50	0.033333	225.00	0.76	93.46
C51	0.033333	225.00	0.76	93.46
C52	0.033333	225.00	0.76	93.46
C53	0.033333	225.00	0.76	93.46
C54	0.033333	225.00	0.76	93.46
C55	0.033333	225.00	0.76	93.46
C56	0.033333	225.00	0.76	93.46
C57	0.033333	225.00	0.76	93.46
C58	0.033333	225.00	0.76	93.46
C59	0.033333	225.00	0.76	93.46
C60	0.033333	225.00	0.76	93.46
C61	0.033333	225.00	0.76	93.46
C62	0.033333	225.00	0.76	93.46
C63	0.033333	225.00	0.76	93.46
C64	0.033333	225.00	0.76	93.46
C65	0.033333	225.00	0.76	93.46
C66	0.033333	225.00	0.76	93.46
C67	0.033333	225.00	0.76	93.46
C68	0.033333	225.00	0.76	93.46
C69	0.033333	225.00	0.76	93.46
C70	0.033333	225.00	0.76	93.46
C71	0.033333	225.00	0.76	93.46
C72	0.033333	225.00	0.76	93.46
C73	0.033333	225.00	0.76	93.46

[illegible]

FINAL PLAT  
THE LANDINGS, PHASE 2

32.670 ACRES OUT OF  
THE HENRY BRANDENBURG SURVEY, ABSTRACT 110;  
CITY OF ALLEN, COLLIN COUNTY, TEXAS

121 RESIDENTIAL LOTS, 6 BLOCKS  
ZONING CLASSIFICATION: R-5  
CITY OF ALLEN, COLLIN COUNTY, TEXAS

<b>JBGL KITTHAWK, LLC</b>	<b>OWNER/DEVELOPER</b>
3131 HARVARD AVENUE, SUITE 103	(214)453-0629
Dallas, Texas 75205	
<b>JBI PARTNERS, INC.</b>	<b>SURVEYOR/ENGINEER</b>
16301 Quorum Drive, Suite 200 B	(972)248-7676
Addison, Texas 75001	



## PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

**AGENDA DATE:**

February 19, 2013

**SUBJECT:**

Conduct a Public Hearing and consider a request to amend the Development Regulations to increase the number of special events allowed and adopt a Temporary Use and Special Event Location Map for Planned Development No. 99. The property is Lot 1R and 2R, Block A, Watters Creek at Montgomery Farm, Phase 1, being 33.833± acres of land located in the Thomas G. Kennedy Survey, Abstract No. 500, City of Allen, Collin County, Texas; located south of Bethany Drive and west of Central Expressway/U.S. Highway 75. (Z-11/12/12-82) [Watters Creek]

**STAFF RESOURCE:**

Tiffany McLeod  
Senior Planner

**PREVIOUS COMMISSION/  
COUNCIL ACTION:**

February, 2006 – Planned Development District PD No. 99 for Mixed Uses Zoning approved by City Council.  
November, 2009 – Amended Sign Plan for Planned Development PD No. 99 approved by City Council;  
June, 2010 – Amended Sign Plan for Planned Development PD No. 99 approved by City Council;

**LEGAL NOTICES:**

Public Hearing Sign Installed – February 8, 2013  
Public Hearing Letters Mailed – February 8, 2013

**BACKGROUND**

The property is located at the southwest corner of US75 and Bethany Drive and is zoned Planned Development District (PD) No. 99 for Mixed (MIX) uses. The property to the north (across Bethany Drive) is zoned Planned Development (PD) No. 55 for Commercial/Office (C/O) uses. The property to the west is zoned Planned Development (PD) No. 76 for Town Home (TH) uses and Planned Development (PD) No. 74 for Office (O) uses. The property to the south is zoned Planned Development District (PD) No. 99 for Mixed (MIX) uses and Planned Development (PD) No. 66 for Corridor Commercial (CC) uses. The property to the east (across US75) is zoned Light Industrial-Conditional (LI-C).

Planned Development (PD) No. 99 is the ordinance for the Watters Creek development. The development has planned several outdoor events, to be held throughout the year, as part of their marketing initiative. However, the Allen Land Development Code ALDC only permits two (2) special events per year; and only with the issuance of a permit. The applicant is requesting to incorporate provisions for temporary uses and special events into the PD ordinance that provides flexibility to conduct more than two (2) special events per year.

The applicant's request is to receive permission to conduct an unlimited number of temporary uses/special events within the development. The proposed temporary uses and special events are separated into two categories; uses that do not require a permit and uses that do require a permit. The series of temporary uses and special events that do not require a permit are monthly/seasonal outdoor events that will be held either in the plaza area (known as the Village Green) within the development or in a tenant's leased outdoor space. Staff does not anticipate these events significantly impacting interior traffic circulation, parking, access from



Bethany Drive and/or the US 75 frontage road or pedestrian circulation. Therefore, staff supports these events being conducted without submission of a permit for each occurrence. The series of temporary uses and special events that do require a permit represent larger scale events that would impact the normal level of activity within the development; thus requiring the submission of a permit application to allow staff to review the specific event details. The locations of the events within both categories are shown on the attached map.

The PD amendment request has been reviewed by the Technical Review Committee.

### **STAFF RECOMMENDATION**

Approval

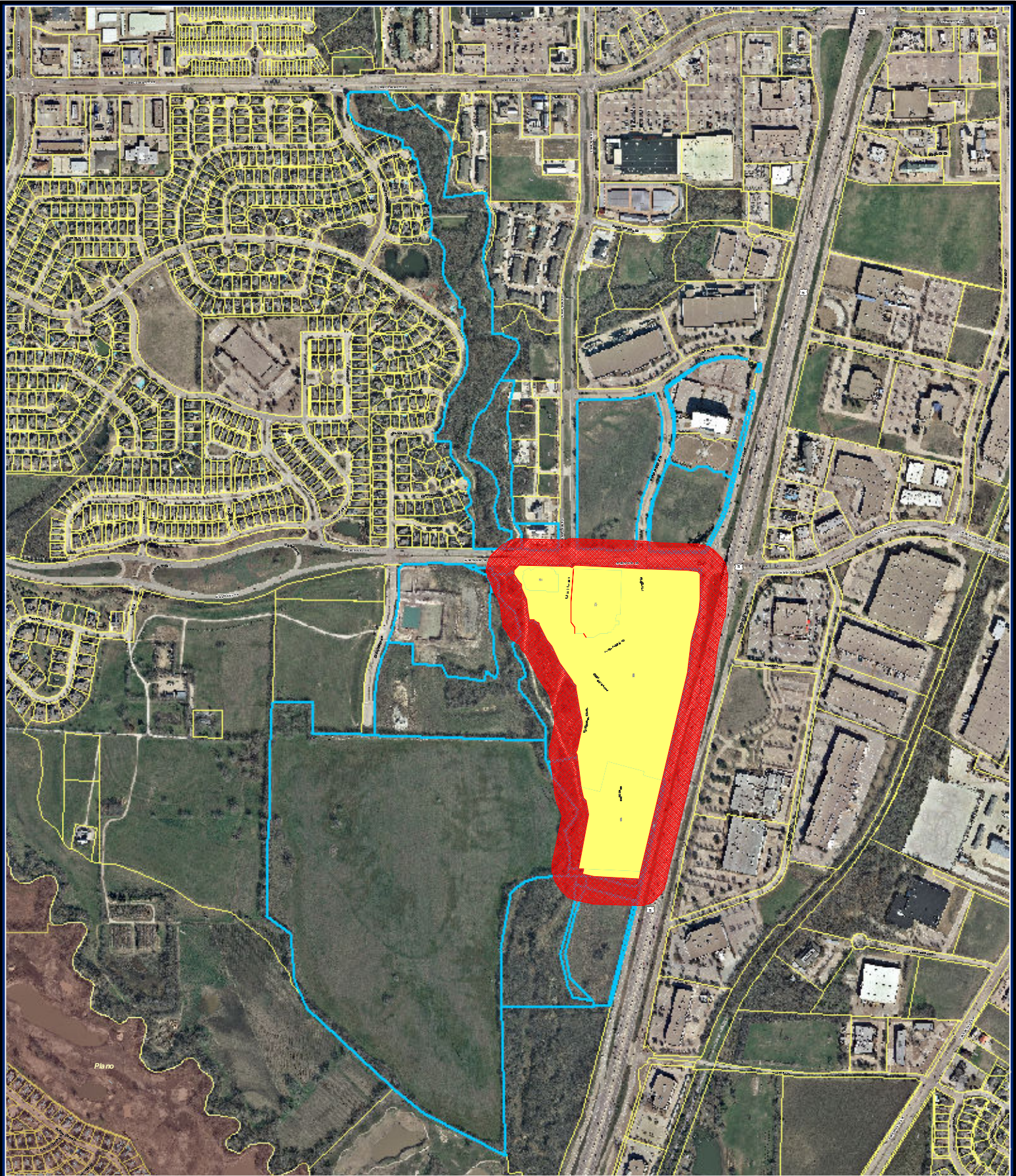
### **MOTION**

*I make a motion to approve the request to amend the Development Regulations to increase the number of special events allowed and adopt a Temporary Use and Special Event Location Map for Planned Development No. 99; for Watters Creek at Montgomery Farm.*

### **ATTACHMENTS**


Property Owner Notification Map  
Temporary Use and Special Event Location Map  
Development Regulations





**Property Ownership Notification**  
**Watters Creek**  
**PD Amendment**

**Map Legend**

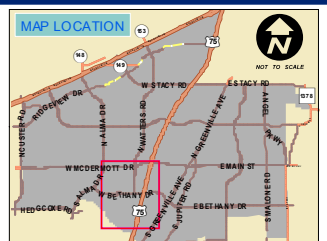
-  200' Notification Buffer
-  Proposed Property
-  Parcels within 200'
-  CollinCAD Parcels
-  City Limit



0 480 960  
Feet

Community Development - GIS  
Date Saved: 2/6/2013

NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.





Temporary Uses and Special Events that do require a permit

Temporary Uses and Special Events that do not require a permit

Village Green Drive is the only street that can be closed for special events with permit.

Temporary-uses and special event locations shall not obstruct fire lanes/emergency access points.

EXISTING HIKE AND BIKE TRAIL

## TEMPORARY USE AND SPECIAL EVENT LOCATION MAP

SCALE: 1" = 80'-0"



TRADEMARK<sup>®</sup>  
Property Company



APPROXIMATE LOCATION OF MITIGATION SITE

DISCLAIMER: THIS SITE PLAN IS PRESENTED SOLELY FOR THE PURPOSE OF IDENTIFYING THE APPROXIMATE LOCATION AND SIZE OF THE PREMISES AND THE BUILDINGS PRESENTLY CONTEMPLATED BY THE OWNER. BUILDING SIZES, SITE DIMENSIONS, ACCESS AND PARKING AREAS, EXISTING TENANT LOCATIONS AND IDENTITIES ARE SUBJECT TO CHANGE AT THE OWNER'S DISCRETION.

WATERS CREEK  
TEMPORARY USE AND SPECIAL EVENT LOCATION MAP  
01/21/2013  
MLP2

WATERS CREEK

Meacham & Apel Architects, Inc.

WATERS CREEK  
ESTABLISHED 2007  
907 WEST BETHANY DRIVE - ALLEN, TX 75013

**DEVELOPMENT REGULATIONS, AS PROPOSED BY APPLICANT,**  
**FOR WATTERS CREEK AT MONTGOMERY FARM**

Temporary Uses/Special Events: Temporary Uses and Special Events shall be permitted on the Property subject to the following:

1. Temporary Uses and Special Events shall not be limited by number in a calendar year or duration.
2. Temporary Uses and Special Events shall be held in the locations shown on the enclosed Temporary Use and Special Event Location Map.
3. Temporary Uses and Special Events locations may not obstruct fire lanes/emergency access points.
4. Village Green Drive is the only street permitted to be closed; with the approval and issuance of a Temporary Use/Special Event permit.
5. The following Temporary Uses and Special Events shall require a permit application, per the Allen Land Development Code, and include but are not limited to:
  - Holiday Kick Off Celebration (i.e. Light the Night)
  - Charitable Runs/Walks (i.e. Trek or Treat 5K)
  - Fine Arts Festival
  - Earthfest
  - Food Truck Event
  - Kick off Concert Event featuring a known Guest Artist
  - Parades
  - Wine or Beer Walks
  - Pumpkin Village/Christmas Tree Sales
  - Holiday Village to include Santa House
  - Creative Festivals (Dance/music/art performances)
  - Theater Performances (i.e. Shakespeare In The Park)
  - Cooking Contests (i.e. Chili Cook-offs, Barbecue, etc.)
  - Car/Boat/RV Show
  - Community Sponsorship Events that occur outdoors
6. The following Temporary Uses and Special Events shall not require a permit application and include but are not limited to:
  - Concerts by the Creek
  - Movie Night
  - Fashion Night Out
  - Ladies Night Out
  - Harley Nights
  - Lucky Duck Kids Club
  - Morning Maniacs Car Club
  - Tenant Sidewalk Sale Event
  - Radio Remotes/Broadcasts
  - Lectures
  - Weddings

- Miscellaneous non-profit/civic organization events (i.e. Allen Lion's Club Duck Race, Friends of the Allen Public Library Endowment Event, Holiday Caroling or Singing performances by local ISD Choirs, Girl/Boy Scout Bridge or Crossover Events)
7. Other Temporary Uses and Special Events may be approved by the Director of Community Development. The decision of the Director of Community Development may be appealed to the City Council.

### Submission of Postponement Request

On February 13, 2013 the applicant submitted a letter to staff requesting the postponement of P&Z consideration until the March 19, 2013 meeting. It is the Commission's prerogative to postpone the consideration of a zoning request. Staff does not have any issue with the request to postpone this item.



JACKSON WALKER L.L.P.  
ATTORNEYS & COUNSELORS

February 13, 2013

VIA ELECTRONIC MAIL  
bbass@cityofallen.org

Mr. Ogden Bass  
City of Allen  
305 Century Parkway  
Allen, TX 75013-8042

RE: Zoning File Number Z-11/19/12-87;  
Watters Branch at Montgomery Farm PD Amendment.

Dear Bo:

As you may recall, this firm represents Tonti Properties with regard to the matter referenced above. As the result of meetings we have conducted with our neighbors, we are requesting a postponement of the hearing before the Planning and Zoning Commission scheduled for next Tuesday, February 19, 2013, in order to continue our dialogue with the surrounding neighborhoods. Please reschedule this hearing for March 19, 2013.

Thank you for your assistance with this matter and please do not hesitate to contact me if you have any questions regarding this request.

Sincerely,

William S. Dahlstrom

CC: Rick Perdue  
Philip Williams

## PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

**AGENDA DATE:**

February 19, 2013

**SUBJECT:**

Conduct a Public Hearing and consider a request to amend Tracts “B” and “C” of Planned Development No. 76 to allow the property to be developed for Multi-Family MF-18 use and to adopt a Concept Plan, Development Regulations, and Building Elevations for the property. The property is 29.001± acres of land located in the Thomas G. Kennedy Survey, Abstract No. 500, City of Allen, Collin County, Texas; located south of Bethany Drive and west of Central Expressway/U.S. Highway 75. (Z-11/19/12-87) [Watters Branch at Montgomery Farm]

**STAFF RESOURCE:**

Ogden “Bo” Bass, AICP  
Director of Community Development

**PREVIOUS COMMISSION/  
COUNCIL ACTION:**

October, 1998 – Planned Development District PD No. 76 approved by City Council.  
July, 2004 – Planned Development District PD No. 76 amended by City Council.  
September, 2006 – Planned Development District PD No. 76 amended by City Council.

**LEGAL NOTICES:**

Public Hearing Sign Installed – February 8, 2013  
Public Hearing Letters Mailed – February 8, 2013

**BACKGROUND**

The property is located south of Bethany Drive and east of Montgomery Drive/Boulevard. The property to the north (across Bethany Drive) is zoned Planned Development (PD) No. 26 Single Family Residential (SF) and Planned Development (PD) No. 55 Community Facilities (CF). The property to the west (across Montgomery Drive/Boulevard) is zoned Planned Development (PD) No. 105 Single Family Residential (R-5). The property to the south is zoned Planned Development (PD) No. 74 Office (O). The property to the east is zoned Planned Development (PD) No. 99 Mixed Use (MIX).

The Planned Development (PD) for the property was established in 1998. It was amended in 2004 and again in 2006. The northern portion of the property (approximately 18 acres) which fronts Bethany Drive is base zoned Local Retail (LR). The southern portion of the property (approximately 11 acres) is base zoned Townhome Residential (TH). The applicant’s request is to change the base zoning of the entire property to Multi-family Residential (MF-18) and adopt a Concept Plan, development regulations and building elevations for a multi-family development project. City staff does not support the change in zoning from Local Retail and Townhome Residential uses to Multi-family Residential use. Neither the original PD nor the two amendments ever contemplated Multi-family Residential use for this property. The Future Land Use Plan reflects uses as initially considered and amended in the PD.

**STAFF RECOMMENDATION**

Staff recommends denial of the request. A conversion of this site to Multi-family Residential zoning is not in keeping with the original PD and its amendments nor is it compatible with the surrounding development pattern.



The surface parking proposed by the applicant includes tandem parking spaces. The Allen Land Development Code (ALDC) states that tandem parking shall not count towards required parking. Therefore, with the tandem spaces removed the proposed parking ratio is actually 1.58 spaces per unit. This ratio is not in compliance with the ALDC standard of 2.25 spaces per unit.

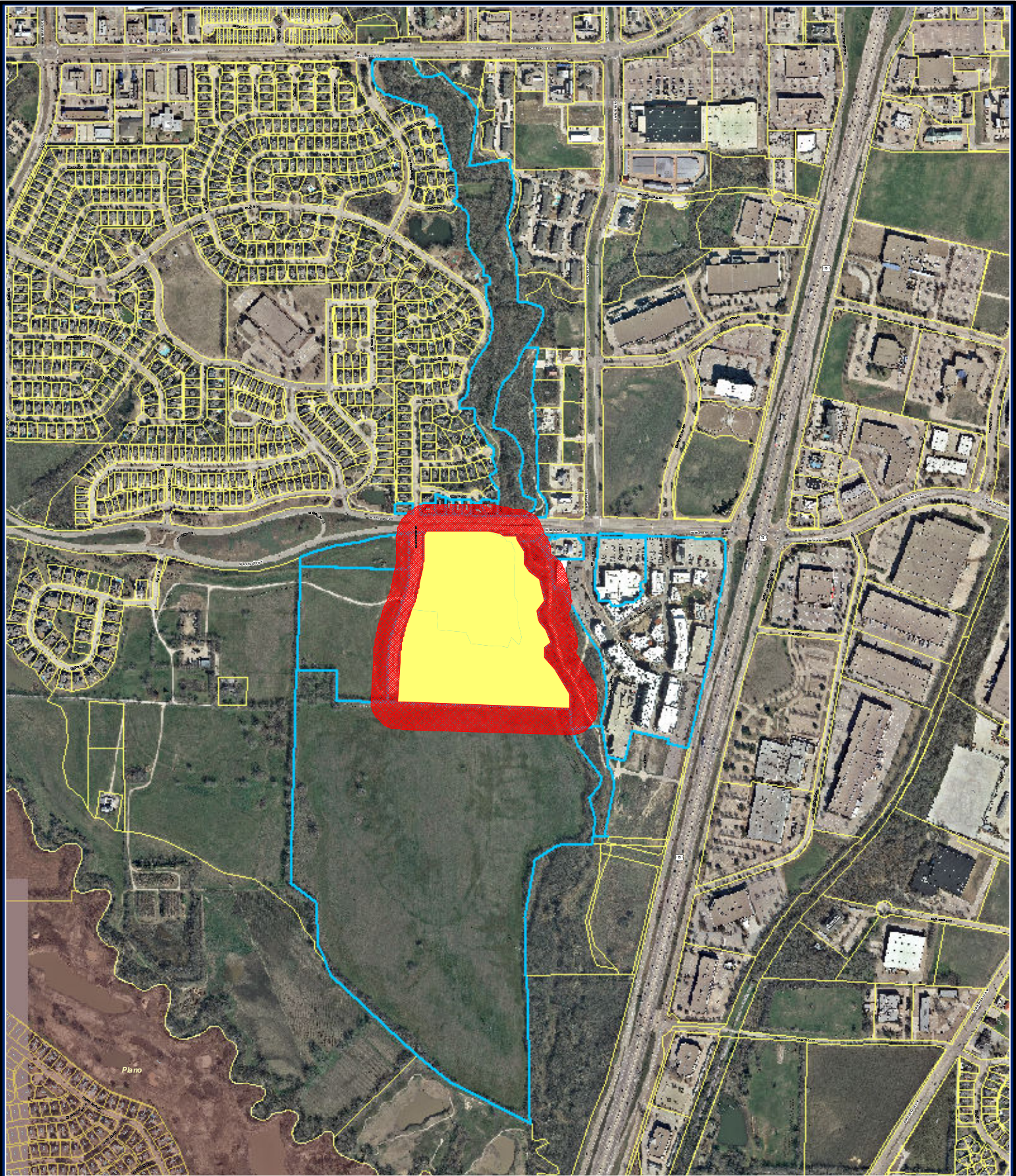
### **MOTION**

***I make a motion to deny the request to amend Tracts “B” and “C” of Planned Development No. 76 to allow the property to be developed for Multi-Family MF-18 use and to adopt a Concept Plan, Development Regulations, and Building Elevations; for Watters Branch at Montgomery Farm.***

### **ATTACHMENTS**




Property Owner Notification Map  
Concept Plan  
Development Regulations  
Building Elevations





**Property Ownership Notification**  
**Watters Branch**  
**PD Amendment**

**Map Legend**

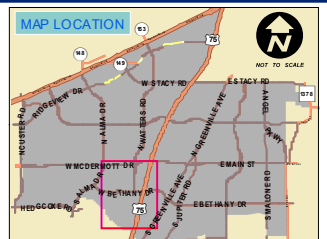
-  200' Notification Buffer
-  Proposed Property
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-  CollinCAD Parcels
-  City Limit



0 490 980  
Feet

Community Development - GIS  
Date Saved: 2/7/2013

NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.





<p><b>SITE LOCATION</b> S.E. CORNER OF W. BETHANY DRIVE &amp; MONTGOMERY BLVD.</p>	<p><b>SITE ZONING</b> PROPOSED PD USE: MULTI-FAMILY</p>
--	---

<b>SITE DENSITY</b>	
SITE AREA	29.00 AC. / 1,263,279 S.F.
NET AREA (MINUS FLOODPLAIN)	26.29 AC. / 1,145,101 S.F.
TOTAL UNITS	429 UNITS
PROPOSED DENSITY	14.79 UNITS/ACRE
PROPOSED NET DENSITY	16.32 UNITS/ACRE

0.75:1  
15.79%

REAR = 20 FT

PROPOSED HEIGHT  
(50' MAXIMUM FROM GROUND FLOOR TO TOP OF RIDGE)

3 STORY

**PARKING REQUIRED**  
429 UNITS X 1.9 SPACES/UNIT  
815 SPACES

SURFACE SPACES	409 SPACES
PARALLEL SPACES	99 SPACES
GARAGE SPACES	138 SPACES
DETACHED GARAGES	32 SPACES
TANDEM SPACES	138 SPACES
<b>TOTAL PROVIDED</b>	<b>816 SPACES</b>

2. 10' WIDE TRAIL WILL MEET CITY OF ALLEN TRAIL ALDC.

ALIGNMENT WILL NEED TO MEET THE CITY OF ALLEN PARKS AND RECREATION APPROVAL.

3. THE 10-16 IN FLOODING, AN LIMITS GRAPHICALLY FLOTTED IN THIS SURVEY WERE GENERATED FROM CROSS SECTIONS FIELD BY HALF ASSOCIATES IN SEPTEMBER 2004, AND BASED ON A LINEAR GREENBELT IN PARK STUDY FOR THE CITY OF ALLEN. PREPARED IN OCTOBER 1986 AND "REG-3 FLOODPLAIN/FLOODWAY ANALYSIS OF PROPOSED BENTLEY DRIVE BRIDGE AT WATERS BRANCH, CITY OF ALLEN, COLLIN COUNTY, TEXAS" PREPARED IN DECEMBER 2000.

1 BUILDING NUMBER



**BUILDING TYPE**  
DENOTES VEHICULAR GATE SYSTEM  
W/FIRE DEPARTMENT ACCESS

**GATE**

**FIRE LANE**

**RESIDENT PULL-OVER TEMPORARY  
PARKING FOR TRASH AND RECYCLING**

	ACQUIRED	PROPOSED
OPEN SPACE (RESIDENTIAL USE)	5.72 ACRES (581 S.F./UNIT)	5.72 ACRES

	FLOODPLAIN (DEDICATED TO CITY OF ALLEN)	N/A	2.71 ACRES
	PARK LAND (DEDICATION WILL BE CONSIDERED ON THE BASIS OF TOTAL RESIDENTIAL UNIT COUNT FOR THE ENTIRE PROJECT. PARKS ARE DEVELOPED RATHER THAN FOR SINGLE SUBDIVISIONS AND PROJECTS WITHIN THE DEVELOPMENT.)	N/A	4.29 ACRES (43% 5.62 UNIT)
			PROVIDED IN LOCATION AGREED BETWEEN CITY OF ALLEN AND EMERSON FARMS,

NTI PROPERTIES  
9 WESTGROVE DRIVE, SUITE 100  
OWNER/DEVELOPER  
977-764-0871

INSLEY LAMKIN RACHEL, INC. ARCHITECT/PLANNER  
21 CLORIUM DRIVE SUITE 550 977-776-9400

LDG, 1E03 / 32.3%

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1

2

3

4

59.97  
WELL

WATERS B RANCH  
TONTI PROPERTIES  
ALLEN, TX

**Hensley Lamkin Rachel, Inc.**  
ARCHITECTURE AND PLANNING  
SUITE 550  
73254  
FAX 972.726-9401  
14881 QUORUM DRIVE  
DALLAS, TEXAS  
972.726-9400

BRUCE W. BACHEL, AIA  
TX LICENSE NO. 14373  
PRELIMINARY DRAWING  
NOT FOR CONSTRUCTION  
NOT FOR GOVERNMENTAL  
REVIEW

[illegible]

PREPARE SET BILLS  
CONSTRUCTION SET BILLS  
REVISIONS

12190

LAND USE PLAN

V. 06.19.12

1

**DEVELOPMENT REGULATIONS, AS PROPOSED BY APPLICANT,**  
**FOR WATTERS BRANCH AT MONTGOMERY FARM**

1. BASE ZONING DISTRICT: The property shall be developed and used only in accordance with the Multi-family MF-18 zoning district regulations of the zoning regulations of the Allen Land Development Code, except as otherwise provided herein.
2. CONCEPT PLAN: The property shall be developed in general conformance with the enclosed Concept Plan. Minor modifications to streets that do not alter the general alignment shown on the Concept Plan may be made at the time of Site Plan approval.
3. BUILDING ELEVATIONS: The property shall be developed in general conformance with the enclosed building elevations.
4. LOT SETBACK: The minimum front yard setback shall be twenty five feet (25').
5. BUILDING HEIGHT: The maximum building height shall be three (3) stories and fifty feet (50').
6. PARKING: The parking ratio for the development shall be 1.9 spaces per unit.





**WATTERS BRANCH AT MONTGOMERY FARMS  
TYPICAL ELEVATION**

**Hensley Lamkin Rachel, Inc.**  
ARCHITECTURE AND PLANNING

**TONTI PROPERTIES**  
SPECIALIZING IN DISTINCTIVE APARTMENT HOMES





**WATTERS BRANCH AT MONTGOMERY FARMS  
TYPICAL ELEVATION**