

AGENDA
CITY OFALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, DECEMBER 3, 2013 – 7:00 P.M.
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 November 26, 2013 regular meeting.

<u>Consent Agenda</u> (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 November 19, 2013 regular meeting.

Regular Agenda

- 3. Preliminary Plat Consider a request for a Preliminary Plat for Morgan Crossing Phase 4. The property is 24.653± acres in the D.B. Hearne Survey, Abstract No. 427, City of Allen, Collin County, Texas; located on Angel Parkway, between Shelley Drive and Chaparral Drive. (PP-10/23/13-73) [Morgan Crossing Ph. 4]
- 4. Public Hearing Conduct a Public Hearing and consider a request to amend Planned Development No. 58 for a Grocery Store and Fueling Station use. The property is 14.48± acres of land situated in the Henry Wetsel Survey, Abstract No. 1026, City of Allen, Collin County, Texas; located at the northwest corner of Greenville Avenue and Exchange Parkway. (Z-9/3/13-61) [Grocery Anchor]

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 Wednesday, November 27, 2013, at 5:00 p.m.

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 11/26/13 City Council Meeting

There were two items taken to the November 26, 2013 City Council Meeting.

- A request for a Specific Use Permit for a Minor Automotive Repairs use for Waterfalls Car Wash and Lube for the Property located at 811 and 813 S. Greenville Avenue, was approved.
- A request for a Specific Use Permit to develop and use the property at 123 N. Greenville Avenue as a Minor Automotive Repairs use for Midas Auto Care Center, was approved.



PLANNING AND ZONING COMMISSION

Regular Meeting November 19, 2013

ATTENDANCE:

Commissioners Present:

Robert Wendland, Chairman Jeff Cocking, 1st Vice Chair Shirley Mangrum, 2nd Vice Chair Stephen Platt, Jr. Ben Trahan

Commissioners Absent:

Barbara McNutt John Ogrizovich

City Staff Present:

Ogden "Bo" Bass, AICP, 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 Conference Room at Allen City Hall, 305 Century Parkway.

Director's Report

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

Consent Agenda

- 2. Approve minutes from the November 5, 2013 regular meeting.
- 3. Capital Improvement Program (CIP) Status Report.
- 4. Request for Extension Consider a request for a 60-day extension to file the Replat of Watters Village, Lots 1R1-1R2, Block A, being 4.1015± acres located at the southeast corner of Stacy Road and Watters Road. (R-7/29/13-54) [Watters Village]

Motion: Upon a motion by Commissioner Trahan, and a second by

2nd Vice Chair Mangrum, the Commission voted 5 IN FAVOR, and 0

OPPOSED to approve the consent agenda.

The motion carried.

Regular Agenda

5. Public Hearing/Replat – Conduct a Public Hearing and consider a Replat of Lots 1-R-1 and 5R-2R into Lots 1-R-2, 5R-3, and 6R-1, Bray Central One Addition, being 10.61± acres located southeast of Watters Road and Raintree Circle. (R-10/29/13-75) [Corporate Center II]

Tiffany McLoed, Senior Planner, presented to the Commission. This property is located south of Raintree Circle and east of Watters Road.

Ms. McLeod explained that the Replat shows two existing lots (Lot 1-R-1 and 5R-2, Block E) being replatted into three lots (Lot 1-R-2, 5R-3, and 6R-1, Block E). The plat also shows a variety of firelane and mutual access, landscape and utility easements necessary for the further development of Lot 1-R-2.

A Site Plan for the second phase of the Corporate Center II development has been approved and is located in a portion of Lot 1-R-2. The Replat is the final step in the development process for this phase of Corporate Center II.

The Replat has been reviewed by the Technical Review Committee and meets the standards of the <u>Allen</u> <u>Land Development Code</u> (ALDC).

1st Vice Chair Cocking clarified that Lots 6R-1 and Lot 1-R-2 will eventually be replatted into one lot. Ms. McLeod confirmed that the two lots would be a single lot in the future.

Chairman Wendland opened the Public Hearing.

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

Motion: Upon a motion by Commissioner Trahan, and a second by

 2^{nd} Vice Chair Mangrum, the Commission voted 5 IN FAVOR, and 0 OPPOSED to approve the Replat for Lots 1-R-2, 5R-3, and 6R-1, Bray

Central One Addition for Corporate Center II.

The motion carried.

6. Conduct a Public Hearing and consider a request for a Specific Use Permit for outdoor display and storage uses for Lot 1, Block A of Wal-Mart Supercenter Addition; located north of Exchange Parkway and west of US Hwy 75 (commonly known as 730 W. Exchange Parkway). (Z-9/18/13-64) [Wal-Mart]

Tiffany McLeod, Senior Planner, presented to the Commission. The property is located at the northwest corner of US Hwy 75 and Exchange Parkway.

Ms. McLeod explained that the applicant is requesting a Specific Use Permit (SUP) for outdoor display and storage. The proposed locations for the outdoor display areas are in the front of the building (between

the entrance canopies and garden center) as shown on the attached Outdoor Display and Storage Location Map. The applicant is requesting to display the following items year round within this area:

- Flower displays
- Pumpkins and other small displays
- Christmas trees
- Swing sets or other large displays

The second part of the SUP request is for outdoor storage. The applicant's request is to place eleven (11) to thirteen (13) 8' x 40' storage containers along the east and northeast sides of the building. The storage containers will be placed on the property from September 15th through February 1st and will be used to store only seasonal merchandise for the Wal-Mart store.

Ms. McLeod stated that the SUP request has been reviewed by the Technical Review Committee. She reminded the Commission that the location, time frame, and list of items for outdoor display will be made part of the Ordinance. She also informed the Commission that staff would recommend adding language into the motion that requires the outdoor storage containers to match the building.

Commissioner Platt asked about the location of the outdoor storage and whether or not it uses required parking spaces. Ms. McLeod informed the Commission that the storage containers do not use required parking spaces and is not located within any fire lane.

1st Vice Chair Cocking asked how staff will determine if the containers match. Director of Community Development, Bo Bass, stated that city staff would monitor. The existing containers match.

1st Vice Chair Cocking asked if the areas shown on the graphic should be identified on the pavement. Ms. McLeod explained that city staff would monitor the site. Director Bass added that there is a count of containers allowed and Code Enforcement would monitor the containers.

Chairman Wendland opened the Public Hearing.

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

Chairman Wendland announced that there was a written submission of support from Charles Yelverton, representing Jimmy John's.

Motion:

Upon a motion by Commissioner Platt, and a second by Commissioner Trahan, the Commission voted 5 IN FAVOR, and 0 OPPOSED recommend approval of the Specific Use Permit SUP request for outdoor display and storage uses with the added regulation that the storage containers will match the building for the property located on Lot 1, Block A of Wal-Mart Supercenter Addition for Wal-Mart Supercenter.

The motion carried.

7. Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit for a Bottling Works and Distribution use for Lot 1R, Tract D and E of Allen Business Centre; located north of Bethany Drive and west of Prestige Circle (commonly known as 9 Prestige Circle). (SUP-10/17/13-72) [Nine Band Brewing]

Shelby Griffin, Planner, presented to the Commission. The property is located north of Bethany Drive and west of Prestige Circle.

She explained that the applicant is requesting a Specific Use Permit (SUP) for a Bottling Works and Distribution use. The <u>Allen Land Development Code</u> (ALDC) requires a Bottling Works and Distribution use to receive a Specific Use Permit (SUP) to locate within Light Industrial (LI) zoning.

Ms. Griffin described the proposed SUP Site Plan as having two buildings; one for the bottling works and distribution use and one for the office and retail use. The bottling works and distribution building shows a silo on the east side of the building for the storage of grain. The office/retail building will provide office space, a conference room, and small gift shop open to the public.

She explained that there are two (2) access points into the site. The SUP site plan provides more than the required number of parking spaces for this use. The SUP Landscape Plan provides more than the required open space for this site. A sidewalk will be constructed along Prestige Circle.

Both buildings are one (1) story and reach a height just under thirty feet (29'2"). The Silo has a height of just under twenty-five feet (24'10"). The buildings will be constructed of brick and stone with treated wood pergola elements located at the entry points into each building and along the eastern façade of the office/retail building.

The SUP request has been reviewed by the Technical Review Committee and meets the standards of the *ALDC* and Planned Development No. 3. She recommended approval of the SUP request.

Chairman Wendland inquired about the loading areas on the site. Ms. Griffin explained that there is a loading area for the trucks to park and load from in the rear.

1st Vice Chair Cocking asked if the wide sidewalk leading from the rear parking lot to the bottling works and distribution use would be for trucks.

John Villarreal, 7028 Hillwood Drive, Sachse, TX, design developer, stated that the larger width would allow small trucks to pull up to the bottling works and distribution use building.

2nd Vice Chair Mangrum inquired about the amount of parking on site and whether it would provide enough space for special events. Ms. Griffin stated that staff had the applicant break down the parking by the three different uses on the site; the bottling works and distribution use, office use, and retail use. The applicant is providing ten (10) additional parking spaces.

Chairman Wendland asked if the public would have access to both buildings. Mr. Villarreal explained that the public would have access to the office/retail building and a portion of the bottling works and distribution building.

Commissioner Trahan stated his concern for customers parking in the rear of the building to the office/retail building.

1st Vice Chair Cocking stated that he had a concern that the driveway between the buildings is functioning as a sidewalk and driveway.

Director Bass stated that the driveway can be clearly marked to distinguish it as a vehicular lane. Chairman Wendland agreed.

1st Vice Chair Cocking asked about how the waste will be removed. Keith Ashley, 1211 Boran Court, Lucas, Texas, applicant explained that all of the grain would be picked up by local cattle ranchers to feed to their cattle. None of the waste would go into the waste system.

Ms. Griffin added that the waste removal was discussed extensively throughout the TRC process. She added that the Director of Community Services understands how the operation will function.

Chairman Wendland opened the Public Hearing.

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

Motion:

Upon a motion by 1st Vice Chair Cocking, and a second by Commissioner Platt, the Commission voted 5 IN FAVOR, and 0 OPPOSED recommend approval of the Specific Use Permit SUP request for a Bottling Works and Distribution use on Lot R1, of Allen Business Center and more commonly known as 9 Prestige Circle with the condition to provide appropriate demarcation between the rear driveway and pedestrian walkway.

The motion carried.

Adjournment

Upon acclamation, the meeting adjourned	at 7:35 p.m.
These minutes approved thisday of	2013.
Robert Wendland, Chairman	Shelby Griffin, Planner

Director's Report from 11/12/13 City Council Meeting

There were no items taken to the November 12, 2013 City Council Meeting.

PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE: December 3, 2013

SUBJECT: Preliminary Plat – Consider a request for a Preliminary Plat

for Morgan Crossing Phase 4. The property is 24.653± acres in the D.B. Hearne Survey, Abstract No. 427, City of Allen, Collin County, Texas; located on Angel Parkway, between Shelley Drive and Chaparral Drive. (PP-10/23/13-73)

[Morgan Crossing Ph. 4]

STAFF RESOURCE: Meagan Tucker

Planning Intern

PREVIOUS COMMISSION/

COUNCIL ACTION: Planned Development PD 65 Adopted - April, 1998

Planned Development PD 65 Amended - June, 2004

Planned Development PD 65 Amended – September, 2013

BACKGROUND

The property is located on Angel Parkway, between Shelley Drive and Chaparral Drive. The property to the north is zoned Planned Development No. 70 for Community Facility (CF). The property to the east (across Angel Parkway) is in the City of Parker. The property to the south is zoned Single Family Residential(R-7). The property to the west is zoned Planned Development No. 65 for Community Facility (CF).

The subject property is zoned Planned Development No. 65 for Single Family Residential (R-6). The Preliminary Plat is 24.653± acres. There are a total of 71 residential lots; 68 rear entry and three (3) front entry. There are two open space lots that will be owned and maintained by the HOA.

There are two (2) access points for the subdivision. The primary access point into the subdivision is located off of Shelley Drive; on Wateroak Drive. The second access point is on the south end of the subdivision and located off of Chaparral Road; on Sanderlain Lane.

There will be an eight foot (8') masonry wall that runs on the outside perimeter of the entire property. A hike and bike trail will be constructed along the flood plain that will connect with the existing trail along Shelley Drive and Chaparral Road.

The Preliminary Plat has been reviewed by the Technical Review Committee, is consistent with the approved Concept Plan and meets the standards of the <u>Allen Land Development Code</u> (ALDC).

STAFF RECOMMENDATION

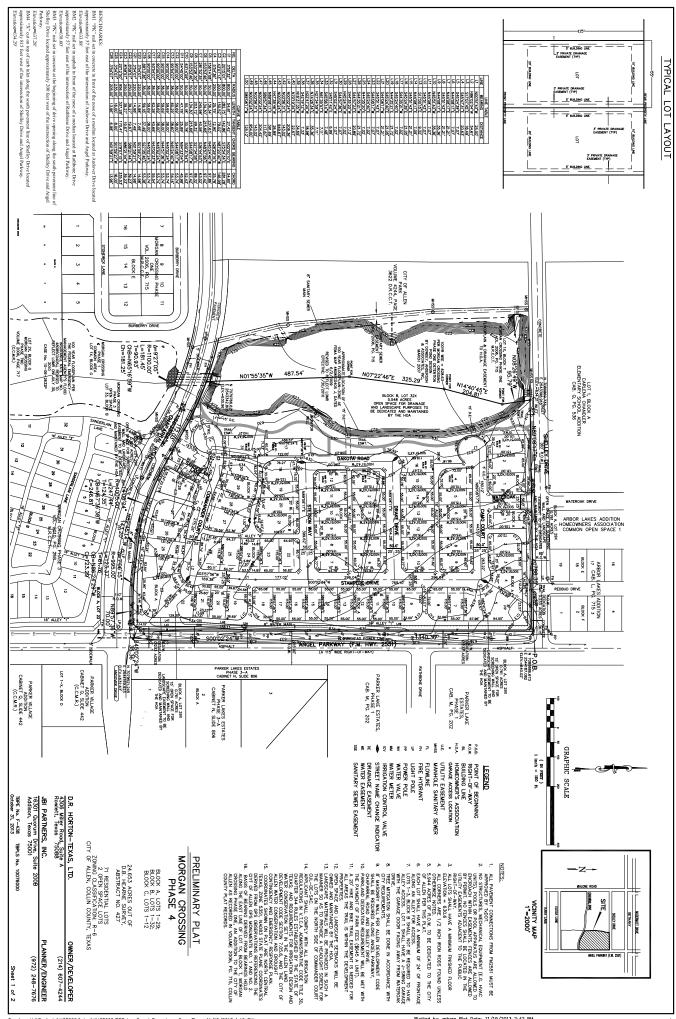
Staff recommends approval of the request.

MOTION

I make a motion to approve the Preliminary Plat for Morgan Crossing, Ph. 4.

ATTACHMENTS

Preliminary Plat



MERERAS, D.B. Hardron-Teasa, Ltd. is the owner of a parcel of land located in the City of Allen, California, Trans. p. 1975. The County Trans. Ltd., are recorded in 1975. I care for that County Trans. Ltd., are recorded in 1975. The County Trans. Ltd., and Ltd., an

ERGNANG of a cere-half lieful from rad found at the northeast accent of said frost 1, said point had the interestion of the south right-or-hap) line of Saidey Drive (a 60 cm set wide right-or-hap) with their west right-or-hap) line of Angel Parkway (Farm-to-Market Highway 2551; a 115 foot wide right-or-hap);

HRDCE South 00 degrees 02 minutes 24 seconds West, 1340,30 feet to a one-half inch fron rod found to the intersection of the west right-of-way line of Angel Parkary with the north right-of-way line of Coparral Drive (a variable width right-of-way);

The contraction, 123,37 feet doing a curve to the right which has a central angle of 07 adaptes to minutes 15 seconds, or colours of \$50,000 feet, changes 16 16.78 feet, and whose short between XeV to degree to the contraction 25 seconds Next, 123,35 feet, to open and minute nor overall minutes or contraction of country of the contraction of the contrac corner, North 89 degrees 57 minutes 36 seconds West, 70,00 feet to a one-half inch iron rod found for THENCE along the north right—of—way line of Chaparral Drive as follows: South 45 degrees 02 minutes 24 seconds West, 35.36 feet to a one—half inch iron rod found for corner:

THEREE door gits east line of soid Lot IV and the west line of soid Trost. I an follows: Next 10 degrees 55 minutes 35 exceeds West, 4572 Meet to a plant for corner; Next 10 degrees 25 minutes 46 exceeds East, 325.20 Meet to a plant for corner; Next 10 degrees 20 minutes 46 exceeds West, 1577 Meet to a corner plant for the corner; Next 10 degrees 20 minutes 46 exceeds West, 1577 Meet to a corner plant for the corner of soid Lot 15 was plant being the northwest corner of soid Lot 15 was plant being the northwest corner of soid Crost 1, soid point land to being 1 the south right-of-ruly in cold plant being the northwest corner of soid Crost 1, soid point was plant for the corner of soid Crost 15 was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point was plant for the corner of soid Crost 1, soid point the corner of soid Crost 1, soid 1 Northestery, 1814.5 feet along a curve to the left which has a central ongle of 09 degrees 27 minutes 05 seconds or could on 110,000 feet, a tangent of 9,032 feet, and showed anothe board host 65 degrees 16 minutes 39 seconds (Mext, 181,25 feet to a cont-half inch from rad found at the acutheast control of Left 1X, 80,641 it. Augrap Cooking Phase One, an oddition to the CUY Allen, as recorded in Young 2005, Page 715, Collin County Plat Records, said point also being in the west line of said Tract

THENCE North 89 degrees 08 minutes 17 seconds East, 788.35 feet along the south right-of-way line of Shelley Drive to the POINT OF BEGINNING and containing 1,073,887 square feet or 24.653 acres of land.

KNOW ALL MEN BY THESE PRESENTS:

Then D.R. HORDA-TEAS, I.T., through the undersigned authority does heeply adopt this plot designating the described property or MoRGAN CROSSING PHASE 4, on addition to the CUP of Alem, house and does heeply designed to the public use foreage the street and along thereon, and does heeply addition to the CUP of the public use foreage the street and along the control of the street and the street th

This plot is approved subject to all platting ordinances, rules regulation, and resolutions of the City of Allen, Taxas.

WITNESS MY HAND this ____ day of 2013.

Agent for D.R. Horton-Texas Ltd.

STATE OF TEXAS ~

COUNTY OF DALLAS ~

BEFORE IX. the underlayed outherly! in and for the State of *reces, on this day prescorilly personal papered Dovid I. Booth Assistor Vice President, from to me to be the person whose name is authorized to the treagaing instrument and obstanelegged to me that the seculated the same for the purposes and consideration therein expressed and in the capacity thems stated.

WITNESS MY HAND at Dallas, Texas, this ____ . day of 2013.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

That I, Mark W. Harp, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown therean shall be properly placed, under my personal supervision, accordance with the subdivision regulations of the City of Allen, Texas.

THIS IS FOR PRELIMINARY PURPOSES ONLY Mark W. Horp, R.P.L.S. No. 6425
Date: _______

STATE OF TEXAS ~

COUNTY OF

BEFORE III. the undesciped authority in and for the Sinte of Texas, on this day personally appeared Dan B. Barrasy, known to me to be the person shown more is subscribed to the foreigning instrument and acknowledged to me that he executed the same for this purposes and consideration therein expressed and in the capacity therein states.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of May, 2013.

Notary Public, State of Texas



Date Executed Pro-forma Name Planning & Zoning Commission The undersigned, the City Secretary of the City of Allen, Texas, nearly certifies that the dregoing Find Part of the Landings. Price 2 of the Landings of Additional texts of the Administration of the Plandings and Zening Commission and approved by it on the to the Plandings of Zening 2013. Date Date Secretary Planning & Zoning Commission Attest

City Secretary, City of Allen

MORGAN CROSSING PHASE 4 PRELIMINARY PLAT

BLOCK A, LOTS 1-29; BLOCK B, LOTS 1-32; BLOCK C, LOTS 1-12

24.653 ACRES OUT OF D.B. HEARNE SURVEY, ABSTRACT NO. 427

71 RESIDENTIAL LOTS
2 OPEN SPACE LOTS
ZONING CLASSIFICATION: R-6
CITY OF ALLEN, COLLIN COUNTY, TEXAS

4306 Miller Road, Suite A Rowlett, Texas 75088 16301 Quorum Drive, Suite 200B Addison, Texas 75001 D.R. HORTON-TEXAS, LTD. TBPE No. F-438 TBPLS No. 10076000 bctober 31, 2013 JBI PARTNERS, INC. PLANNER/ENGINEER (972) 248-7676 OWNER/DEVELOPER (214) 607-4244

Sheet 2 of 2

PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE: December 3, 2013

SUBJECT: Conduct a Public Hearing and consider a request to amend

Planned Development No. 58 for a Grocery Store and Fueling Station use. The property is 14.48± acres of land situated in the Henry Wetsel Survey, Abstract No. 1026, City of Allen, Collin County, Texas; located at the northwest corner of Greenville Avenue and Exchange Parkway. (Z-

9/3/13-61) [Grocery Anchor]

STAFF RESOURCE: Ogden "Bo" Bass, AICP

Director of Community Development

PREVIOUS COMMISSION/COUNCIL

ACTION: PD No. 58 Adopted – March, 1996

PD No. 58, Tract 5 Amended - November, 2008

ANTICIPATED MEETING DATE: January 14, 2014

LEGAL NOTICES: Public Hearing Sign – Installed November 15, 2013

Public Hearing Notices - Mailed November 15,

2013

BACKGROUND

The property is located at the northwest corner of Greenville Avenue and Exchange Parkway. The properties to the north and east are zoned Shopping Center (SC) and Single Family Residential (R-7). The property to the south (across Exchange Parkway) is zoned Community Facility (CF) zoning. The property to the west is zoned Planned Development PD No. 58 Multi-family Residential (MF).

The property is zoned Planned Development PD No. 58 for Shopping Center (SC) use. The applicant is requesting an amendment to a portion of PD No. 58 to develop a grocery store, fueling station with car wash and a bank. The attached Concept Plan shows the property divided into three (3) lots. Lot 1 is for the grocery store use and shows a one-story 87,000 square foot building. Truck docks, storage areas and mechanical equipment closest to Greenville Avenue are screened from view with a combination of masonry screening wall and landscaping (as shown on the attached Landscape Plan). The plan also shows designated outdoor display areas in the front of the building for the display of seasonal merchandise. Lot 2 is for a fueling station, with an automated car wash as an accessory use. The fueling station will be affiliated with the grocery store use and have an architectural style consistent with the grocery store building. Lot 3 is for the bank use. The parking provided for all three lots exceeds *Allen Land Development Code (ALDC)* standards.

There are three access points to the site; two off of Exchange Parkway and one off of Greenville Avenue. Improvements shown in the attached Turn Lane Exhibit will be made to Greenville Avenue/Exchange Parkway intersection at the time the grocery store is developed.

An eight foot (8') masonry wall will be built on the entire west and north side of the property when the first lot develops. In order to comply with noise standards, a twelve foot (12') section will be built along the north side of the grocery store building.

The buildings on all three lots will comply with the masonry standards of the *ALDC*. A conceptual rendering of the grocery store building is attached.

Planning & Zoning Commission December 3, 2013 Grocery Anchor Page 2

The request has been reviewed by the Technical Review Committee.

STAFF RECOMMENDATION

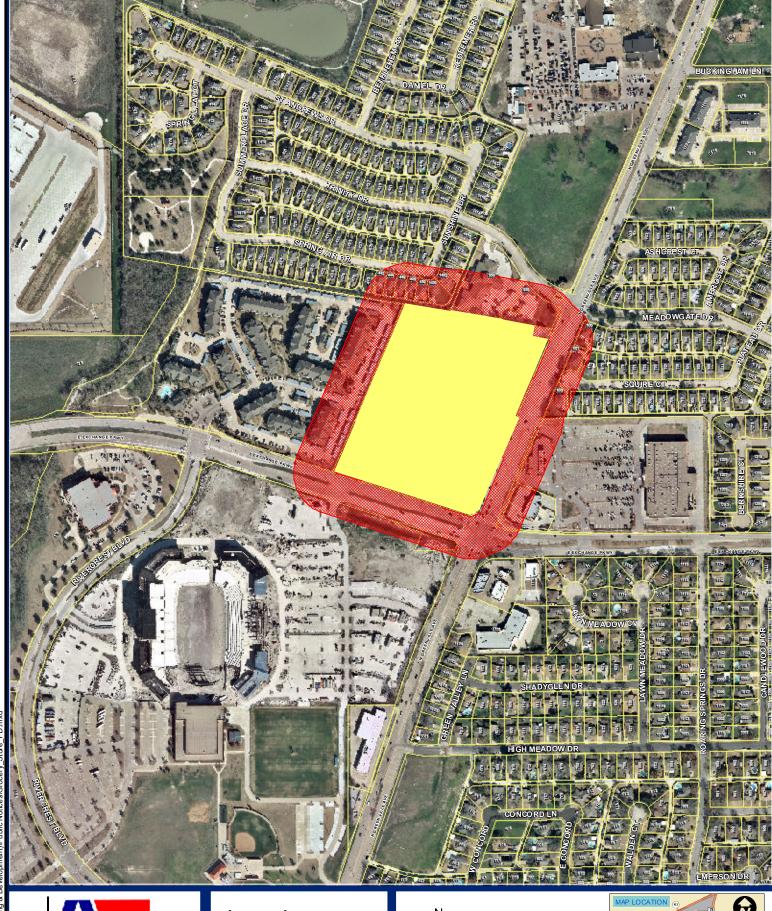
Staff recommends approval.

MOTION

I make a motion to recommend approval of the request to amend Planned Development No. 58 for a Grocery Store and Fueling Station use for 14.48± acres of land located at the northwest corner of Exchange Parkway and Greenville Avenue.

ATTACHMENTS

Property Notification Map Development Regulations Concept Plan Landscape Plan Grocery Store Rendering Turn Lane Exhibit





Legend





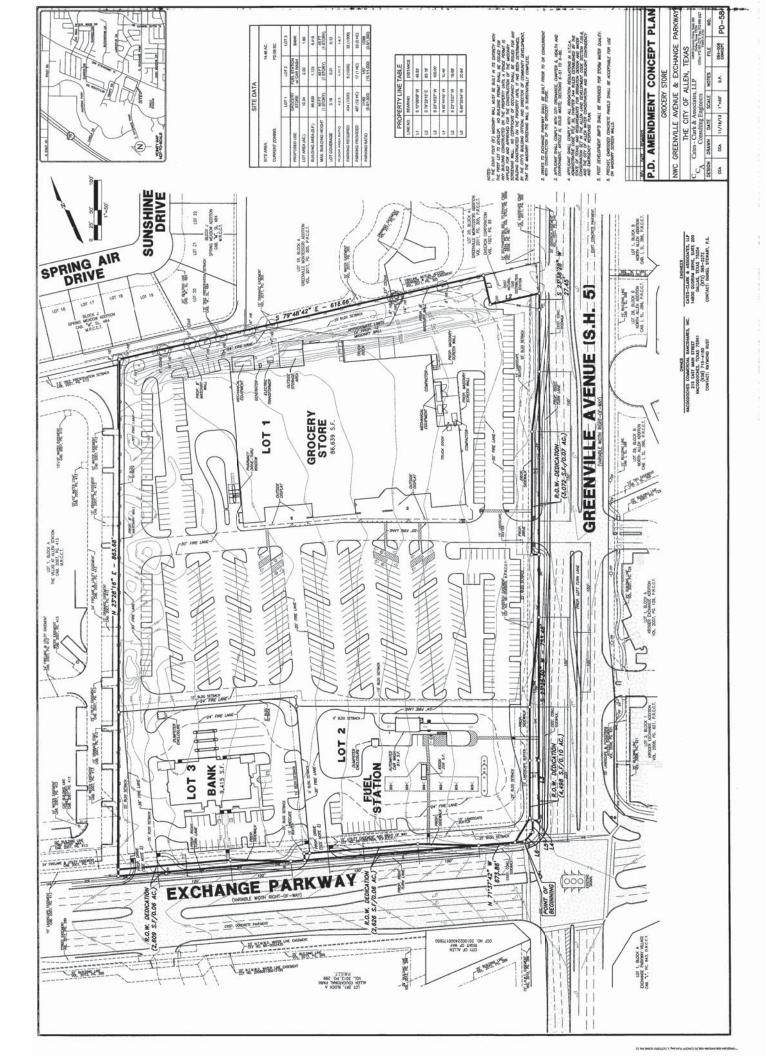
NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.



<u>DEVELOPMENT REGULATIONS FOR GROCERY STORE NORTHWEST CORNER OF</u> GREENVILLE AVENUE AND EXCHANGE PARKWAY (Case Z-9/3/13-61)

- A. **BASE ZONING DISTRICT**: The Property shall be developed and used only in accordance with the development regulations of Planned Development PD No. 58 and the Shopping Center "SC" zoning regulations of the Allen Land Development Code, except as otherwise provided herein.
- B. **PERMITTED USES**: The Property shall be used and developed only for uses permitted in the Shopping Center "SC" zoning district; provided, however:
 - (1) The Property may be developed and used with a fueling station as a permitted use, but only if (a) such use is developed and operated in association with the development of a grocery store use on the Property and (b) the fueling station is owned by (i) the same person or entity that owns the grocery store or (ii) an affiliate of the person or entity of the grocery store owner. Use of the Property for a fueling station independent of the grocery store use a provided in this Paragraph B shall constitute a prohibited use unless a specific use permit is obtained for such use. For purposes of this Paragraph B, an "affiliate of the person or entity of the grocery store owner" shall mean any entity that owns or controls, is owned or controlled by or is under common ownership or control with, the grocery store owner, or any entity the ownership of which is substantially the same as the ownership of the grocery store. For purpose of this Paragraph B, "control" (and any form thereof, such as "controlling" or "controlled") means, for any person or entity, the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of such person or entity.
 - (2) The Property may be developed with a car wash only as an accessory use to the fueling station use subject to the following:
 - (a) The car wash shall be located as shown on the Concept Plan;
 - (b) The car wash shall be no more than one unmanned, coin, card, or key code operated facility, equipped with fully-automated car washing equipment for drive-through washing (i.e. manual, spray wand-type open bay washing not permitted);
 - (c) The ownership of the car wash shall be subject to the same requirements as ownership of the fueling station use;
 - (d) The exterior façade materials of the car wash shall substantially match or compliment the materials of the grocery store;
 - (e) At no time shall the car wash be used for storage of any type except for storage of equipment and supplies related to operation of the car wash.
 - (3) The authorization to use the Property for self-storage as a permitted accessory use as authorized by Section 2 of Ordinance No. 2787-11-08 is repealed.
- C. **CONCEPT PLAN**: The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit "B" and incorporated herein by reference. Minor modifications to the location of streets that do not alter the general alignment shown on the Concept Plan may be made at the time of Site Plan approval.
- D. **LANDSCAPE PLAN**: The Property shall be developed with landscaped areas in general conformance with the Landscape Plan attached hereto as Exhibit "C" and incorporated herein by reference.

- E. **BUILDING ELEVATIONS**: The buildings to be constructed on the Property shall be designed and constructed in general conformance with the Building Elevations attached hereto as Exhibit "D" and incorporated herein by reference.
- F. FUELING STATION BUILDING MATERIALS: If a fueling station building is constructed on the Property, said building shall be designed and constructed with materials the type, texture, and colors of which are complementary to the grocery store building constructed on the Property. The fueling station canopy shall be constructed with masonry columns with materials the type, texture, and colors of which are complementary to the fueling station building, and shall be designed and constructed with a non-flat roof.
- G. **OUTDOOR DISPLAY**: Outdoor Display of seasonal merchandise that is sold in the grocery store use developed on the Property shall be permitted by right in association with said grocery store use. The locations for the Outdoor Display shall be restricted to the areas of the Property shown on the Concept Plan attached hereto as Exhibit "B". Nothing in this Paragraph G shall be construed as prohibiting the Property owner or tenant from applying for and/or obtaining a temporary use permit pursuant to Section 6.04.1 of the Allen Land Development Code for areas of the Property located outside of the authorized Outdoor Display areas shown on the Concept Plan.
- H. SCREENING: The masonry wall required to be constructed pursuant to Section 7.07.4 of the Allen Land Development Code and located as shown on the attached Concept Plan shall be built in its entirety when the first lot within the Property develops. The masonry wall material shall match the grocery store building. No building permit shall be issued for any building to be constructed on the Property prior to issuance of a fence permit for the construction of the masonry wall. No certificate of occupancy shall be issued for any building constructed on the Property until the City's Building Official and Director of Community Development have determined the masonry wall is substantially complete in conformance with the fence permit issued by the City's Community Development Department, applicable provisions of the Allen Land Development Code, and this Ordinance.
- I. **STREET IMPROVEMENTS**: No certificate of occupancy shall be issued for the building to be constructed on the Property and used as a grocery store until construction of the modifications to the medians, turn lanes, pavement markings, and signalization of the intersection of Exchange Parkway and State Highway 5 (Greenville Avenue) as depicted on Exhibit "E", attached hereto and incorporated herein by reference, have been completed and accepted by the City.



KEGUTOS.

1 dealesta sesue from retverno de calesta sesue from retverno de central mentione de central de centr ALLEN, TEXAS JOHN E. ROSE III, P.E. (214) 680-7800 CENLER GROCERY SHO DNIddohs

ISSUE FOR REVIEW

LP 0.01 OVERALL LANDSCAPE PLAN

REQUIRED.

WE GNOTE THEE LAW STREET FRONTAGE +1 CRONAMENTAL TREE 12 SHAGE TREES

FROUNDED

GREANLE AND HE SHE FRONTAGE +0 = 22 SHAGE TREES +1 CRONAMENTALS = 32 TREES

GOTHANGE PROGNANT OF FRONTAGE +0 = 72 SHAGE TREES +1 CRONAMENTALS = 10 TREES REQUIRED 2" WIDE MALCH I DECOMPOSED GRANTE / PRVEN ROCK BED FROM B.O.C. IN PARKING AREA PROYEED OF MALCH I DECOMPOSED GRANTE I PRVEN ROCK BED FROM B.O.C. IN PARKING AREA Z WIDE MALCH I DECOMPOSED GRANTE I PRVEN ROCK BED FROM B.O.C. IN PARKING AREA REQUIRED
PAYSING LOT ADJACENT TO STREET TO BE SCREENED ON ALL SIDES WITH
PROVIDED
42" HEIGHT SHRUG SCREEN SURROUNDING ALL PARSING ADJACENT TO ST REQUIRED
MINIMUM LANDSCAPED AREA OF 900 SF AT INTERSECTION CORNER
PROVIDED
LANDSCAPED AREA OF AT LEAST 900 SF AT INTERSECTION OF EXCHA RECLINES

THOROUGH TO ALLONG ALONG ABUTTING DISFERENT ZOWNO DISPERSATION REDES SOFIETED ALONG NOTHINGEN PROPERTY. LANDSCAPE REQUIREMENTS REQUIRED † SHADE TREE + 1 ORNA PROVIDED 531 SPACES / 40 = 14 SH

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BA HAWTHORN SK HOLLY SK HOLLY		ADENSIS EMIA INDICA SRIA NUATA 'SAVANNAH'
OLEANDER NEHBUM CLEANDER		MACGYANANTHERA SI NDICA TA "BURROPEN NANA" TA "CARRISSA" MESTICA MOONBAY MESTICA MESTICA ANDER

GROCERY ANCHOR

LOT 2

FUEL

LOT 1

LOT 3

EXCHANGE PARKWAY





(1) OVERALL LANDSCAPE PLAN

GREENVILLE AVENUE (S.H. 5)

