



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, JUNE 16, 2015 – 7:00 P.M.
CITY COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TEXAS 75013**

Call to Order and Announce a Quorum is Present

Pledge of Allegiance

Directors Report

1. Action taken on the Planning & Zoning Commission items by City Council at the June 9, 2015, 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. Capital Improvement Plan CIP Status Report.
3. Approve minutes from the June 2, 2015, regular meeting.
4. Final Plat – Consider a Final Plat for CLA Allen Addition, Lot 6A and 6B, Block A, being 5.814± acres situated in the L.K. Pegues Survey, Abstract No. 702, located at the northeast corner of US75 and Exchange Parkway. (FP-5/18/15-30) [Children’s Learning Adventure]

Regular Agenda

5. Public Hearing – Conduct a Public Hearing and consider a request to amend Specific Use Permit No. 129 relating to the identity of the owner/operator of the business authorized to operate under this Specific Use Permit. The property is Lot 3, Block A, Watters Village; known as 909 W. Stacy Road, Allen, Texas. (SUP-6/4/15-34) [Emler Swim School]
6. Tabled Item/Public Hearing – Conduct a Public Hearing and consider a request to amend the development and use regulations applicable to Tract 4 of Planned Development PD No. 53, from Community Facilities CF to Townhome Residential District TH, and adopt a Concept Plan, Building Elevations, and Development Regulations for the Property. The Property is Lot 2, Block A, Allen Stake Center, City of Allen, Collin County, Texas; generally located west of Alma Drive and north of Exchange Parkway. (Z-2/4/15-3) [Allen Stake Center]

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, June 12, 2015 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 6/9/2015 City Council Meeting

- The request to adopt an Ordinance for Specific Use Permit #145 for a Gymnastics and Sports Training Facility Use, for an approximately 16,732 square foot portion of a building located on Lot 2A, Block B, Brookshires Addition and generally located north of McDermott Drive and west of Greenville Avenue and commonly known as a portion of 109 N Greenville Ave., Suite A, for The Den - Sports Performance Center was approved.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: June 16, 2015

SUBJECT: Capital Improvement Program (CIP) Status Report

STAFF RESOURCE: Chris Flanigan, PE
Director of Engineering

PREVIOUS COMMISSION/COUNCIL ACTION: None

PUBLIC NOTICE: None

BACKGROUND

Every month the Engineering Department will provide a status update of the City's Capital Improvement projects.

STAFF RECOMMENDATION

N/A

MOTION

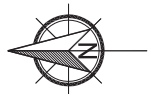
N/A

ATTACHMENTS

CIP Progress Report through May, 2015
CIP Map through May, 2015

ENGINEERING CIP REPORT - THROUGH MAY 2015

PROJECT		STATUS / COMMENTS		CONST. DATES
FACILITIES	1 Fire Station 2 Reconstruction	PS1303	Bids received from four contractors. After evaluating all bids, JC Commercial and Crossland Construction were given a "Best and Final Offer" opportunity. Final recommendation will go before City Council on June 23, 2015, with construction commencing immediately thereafter.	Complete Spring 2016
	2 Fire Station 3 & 4 Lighting	PS1408	Lighting is complete, and ONCOR rebate paperwork filed. FSG has provided a change order for additional lighting at City Hall (ACTV) which will be performed June 19, 2015, then the project will be closed out.	Complete June 2015
	3 City Hall Basement Remodel	PS1501	Quorum Architects is working with Staff to finalize the drawings, specs, and details, adding in the vestibule creation for the 3rd floor restrooms. Bids should go out and return in July, project expected to have bid award in August 2015.	Complete Dec. 2015
	4 Central Station HVAC	Gen Fund	AirDynamics repairing damaged screens after high winds the week of May 27th, and will finish Staff training week of June 1st. Structural Engineer designing Planning required screening.	Complete August 2015
ROADS	5 2015 Intersection Improvements	ST1504	Survey currently underway. Part A and B will be designed. Part "B" is for the Eastbound Stacy Road turn lanes at US75. Design awarded to Huitt-Zollars, Inc.	TBD
	6 2014 Street and Alley Repair	ST1401	Includes several accessibility improvements. Awarded to Jim Bowman Construction.	Complete Fall 2015
	7 Alma Drive Widening (Hedgcoxe-SH121)	TBD	ILA approved at the April 28th City Council Meeting. Commissioners Court approved at June 1st meeting.	Begin Summer 2016
	8 Ridgeview Drive (Watters - US75)	ST1202	No formal construction schedule. Awaiting development trends in this area.	TBD
	9 Ridgeview Drive (Alma through Stacy) Ph 1	ST1308	Work has been delayed due to heavy rain experienced in April/May, but has resumed in June. Completion date has slid 2 months as a result.	Complete Fall 2015
	10 Montgomery Boulevard Extension	ST1403	Construction by McMahon has begun. Clearing and Rough Grading to the creek has started.	Complete March 2016
	11 FM 2551	ST0316	Design is being managed by Collin County to widen FM 2551 to six lanes. Project is awaiting funding agreements between the County, TxDOT and stakeholder Cities.	TBD
	12 Stacy Road, Ph 2 (Greenville - FM 1378)	ST0704 NTMWD	Roadway is a TxDOT project, currently planned to begin construction in Summer 2015.	Begin Summer 2015
	13 Bray Central Street Lights	JBGL	Developer, JBGL, installing street lights on Bray Central (Watters to Exchange) and Watters Road (Bossy Boots to Raintree). Bray Central streetlights are currently being installed. Watters Road streetlights are in design.	Complete Oct. 2016
	14 US 75 Widening	TXDOT	Addition of 2 general purpose lanes, selected ramp reversals, and intersection improvements.	Complete Oct. 2016
UTILITIES	15 Cottonwood Creek Wastewater Rehab	WA1501	Pipe-bursting rehabilitation of approximately 2,700 lf of wastewater main, north of Bethany Drive.	Begin Summer 2015
	16 Fountain Park Water/SS Rehab, Ph 1	WA1403	Construction awarded to Kodiak Trenching and Boring. Public meeting held on May 21, 2015. Residents overall response to this project was positive.	Complete November 2015
	17 SCADA System Upgrade	WA1402	Design is in progress and comments have been returned to the consultant. Anticipate bid in July 2015.	Complete Dec. 2015
OTHER	18 Cottonwood Creek Bank Stabilization	DR1401	Structural solution to address bank erosion along Cottonwood Creek Tributary No. 1, north of Bethany is under design.	Complete Fall 2015
	19 Olson & Beverly Elementary Sidewalk Improvements	ST1501	Project scheduled to go before STTC and RTC boards early 2015. Federal approval to follow in spring of 2015. TxDOT to issue contract spring 2015.	Summer 2015
	20 Signal - Watters / Bossy Boots	ST1314	Traffic signal was placed in operation on May 21, 2015.	COMPLETE



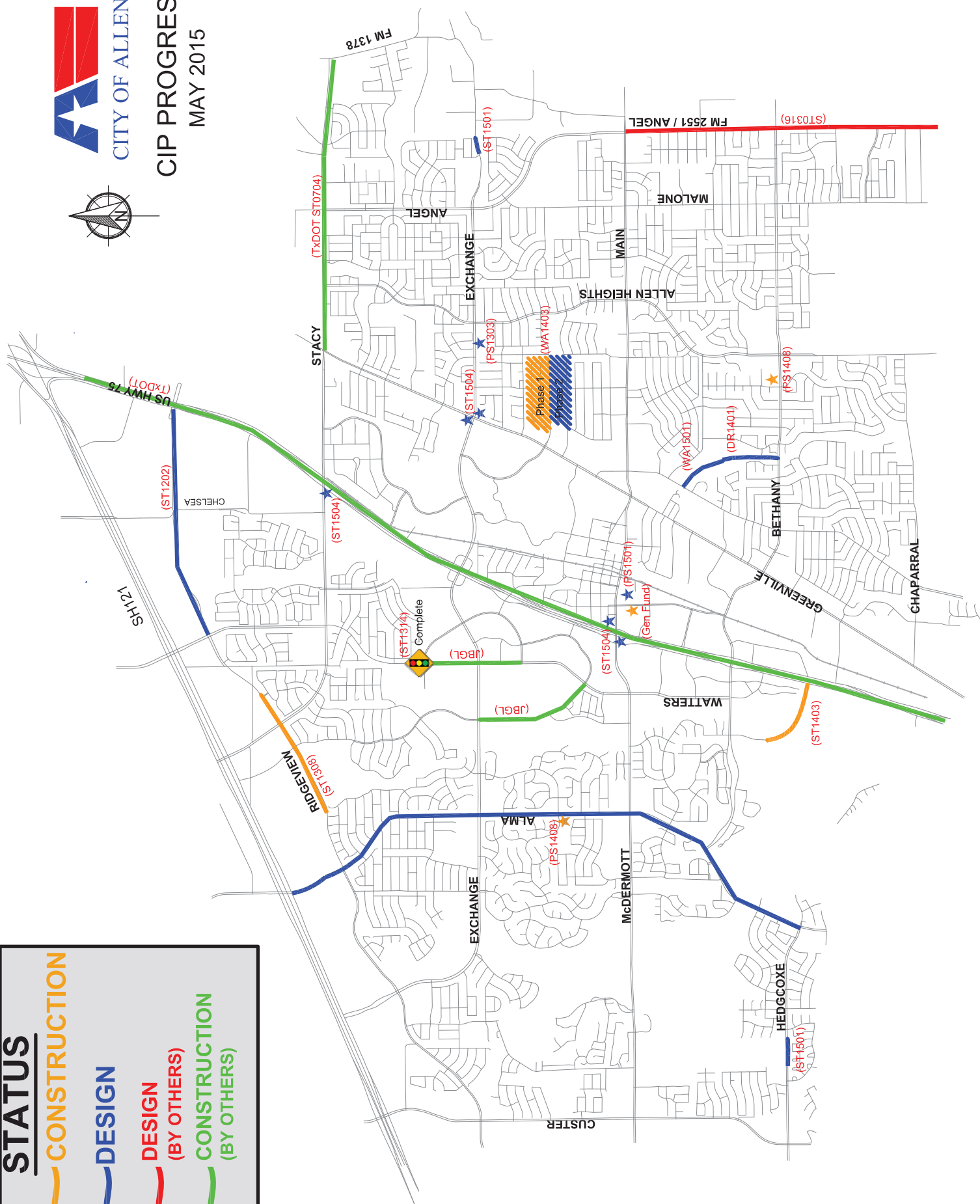
STATUS

CONSTRUCTION

DESIGN

DESIGN (BY OTHERS)

CONSTRUCTION (BY OTHERS)





**PLANNING AND ZONING
COMMISSION**

**Regular Meeting
June 2, 2015**

ATTENDANCE:

Commissioners Present:

Jeff Cocking, Chair
Shirley Mangrum, 1st Vice-Chair
Ben Trahan, 2nd Vice-Chair
Luke Hollingsworth
John Ogrizovich
Michael Orr
Stephen Platt, Jr.

Absent:

City Staff Present:

Ogden "Bo" Bass, AICP, Director of Community Development
Chris Flanigan, PE, Director of Engineering
Tiffany McLeod, Senior Planner
Madhuri Kulkarni, Planner
Kevin Laughlin, City Attorney

Call to Order and Announce a Quorum is Present:

With a quorum of the Commissioners present, Chairman Cocking called the meeting to order at 7:00 p.m. in the City Hall Council Chambers 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 May 26, 2015, regular meeting attached.

Consent Agenda

2. Approve minutes from the May 19, 2015, regular meeting.

Motion: Upon a motion by Commissioner Trahan, and a second by
 1st Vice-Chair Mangrum, the Commission voted 7 IN FAVOR, and 0
 OPPOSED to approve the Consent Agenda.

The motion carried.

Regular Agenda

3. Public Hearing – Conduct a Public Hearing and consider a request to amend the development and use regulations applicable to Tract 4 of Planned Development PD No. 53, from Community Facilities CF to Townhome Residential District TH, and adopt a Concept Plan, Building Elevations, and Development Regulations for the Property. The Property is Lot 2, Block A, Allen Stake Center, City of Allen, Collin County, Texas; generally located west of Alma Drive and north of Exchange Parkway. (Z-2/4/15-3) [Allen Stake Center]

Ms. Tiffany McLeod, Senior Planner, presented to the Commission. She stated this item is a public hearing and a PD Amendment for PD-53 for Allen Stake Center, converting from Community Facilities zoning to a Townhome development. The request is to adopt a Concept Plan, Building Elevations, and Development Regulations for the property.

Ms. McLeod stated that the subject property, north of Exchange Parkway and west of Alma Drive, is approximately 5.6 acres. She then explained the surrounding zoning. The property to the north is zoned Planned Development No. 53 Single Family Residential SF. The properties to the east are zoned Planned Development No. 53 Single Family Residential R-6 and Planned Development No. 53 Shopping Center SC. The properties to the south, across Exchange Parkway, are zoned Planned Development No. 54 Single Family Residential SF. The property to the west is zoned Planned Development No. 53 Community Facilities CF and is currently owned by the Church of Jesus Christ LDS.

Ms. McLeod pointed out on the aerial that staff considers this property an infill site as there is existing development on all sides – a church to the west, an elementary school to the north, single-family to the north-east, and commercial development to the east. In addition to the site being infill, she pointed out that the shape of the site is long and narrow. Typically, there can be difficulty if office or smaller retail choose to locate on long and deep properties because the frontage of the property is usually parceled and developed, leaving the interior vacant and undevelopable. Staff considers the townhome use an appropriate use for the site. The Comprehensive Plan was referenced as well, and the site is forecasted for compact development, including townhome or higher density residential. Thus, staff is supportive of the use.

The property is currently zoned Planned Development No. 53 with a base zoning of Community Facilities CF. The property to the west is owned by the Church of Jesus Christ and Latter Day Saints. They also own this subject property. The base zoning will change from Community Facilities to Townhome and a Concept Plan, development regulations and elevations will be adopted.

The attached Concept Plan shows 43 front-entry townhome units clustered into 5-6 unit buildings and 2 acres of open space. The density of the development is approximately 8 units/acre. This density complies with Allen Land Development Code (ALDC) requirements for a townhome development (maximum is 10 acres). The proposed minimum lot width is 25 feet. The proposed minimum lot depth is 115 feet. The proposed minimum dwelling unit size is 1,350 square feet. All three of these proposed minimum standards exceed ALDC townhome requirements.

The existing shared driveway on Exchange Parkway is the single point of access for the development. There is no connection to the subdivision on the northeast. The street is 31' wide and will be designated as a fire lane at the time of platting. The Fire Department and Community Services Department reviewed the property and have both verified that an emergency or waste service truck can maneuver their vehicles through the development.

The existing driveway was initially planned to extend onto the property once developed. The driveway will be shared between the existing church and this property. With this development, there will be two alterations to the driveway: 1) the driveway pavement configuration will be modified (new pavement

constructed on the Church property) to form a T-intersection for better turning and stacking, and 2) the portion of the driveway on the Church's property will be dedicated as right-of-way as the existing driveway today does not grant public access. With these changes, the townhome development will have full access off Exchange Parkway. There will also be a deceleration lane on Exchange to mitigate negative traffic impacts. A letter from the Church has been received committing to the driveway dedication.

There are approximately 2 acres of open space in the development; which exceeds ALDC requirements. The majority of the open space is on the northwestern portion of the property. Ten foot gaps on the west and east of the property will be Open Space and maintained by the HOA, and will remain turf. The purpose of these is for ingress/egress and requested by the Fire Department. The rear of these lots will all have gates. A significant landscape buffer is also shown along Exchange Parkway.

The screening for the property will consist of tubular steel fencing with landscaping along Exchange Parkway, an 8 foot masonry wall along the western and southeastern boundaries, tubular steel fencing along the northern boundary and tubular steel fencing with eastern red cedar trees along the northeastern boundary. A change was recently made – the eastern red cedar trees will also be added along the northern portion. Ms. McLeod pointed out that there will be gates along the rear portion of the northern lots. There is no graphic currently, but will be provided for the tubular steel fencing for City Council.

Ms. McLeod then presented the building elevations. All of the units will be two stories with two car garages. The front elevation will be replaced with all two-car garages, also to be modified prior to City Council. The primary exterior building materials are brick, stone, standing seam metal and composition shingle roofing. The driveways will be treated with a decorative finish.

Next, Ms. McLeod summarized the Development Regulations:

- Base Zoning District: Townhome
- Lot Width: 25'
- Lot Depth: 115'
- Garage Setback: 20' from the property line
- Elevations: Two car garages for all units, cement broom finish for all driveways
- Minimum Dwelling Unit Size: 1,350 square feet
- Right-of-Way Dedication: To be executed and filed prior to replatting
- On-Street Parking: Street A will be a fire lane with no parking
- Cluster Mailboxes: To be provided
- Drainage Coefficient: 0.8
- Screening: To be developed as shown on the Concept Plan, with the change of Eastern Red Cedars with Tubular Steel Fence on the northern boundary

Ms. McLeod stated that staff recommends approval. She also stated that a representative from the school district sits in the Technical Review Committee meetings and had no concerns for Story Elementary or ingress/egress along the school.

Commissioner Ogrizovich asked if the property to the west is owned by the school or the Church. Ms. McLeod referenced the property and stated it is owned by the Church. Mr. Ogrizovich then asked if it will remain as vacant property. Ms. McLeod stated there is a chain-link fence on the back. Chairman Cocking stated there is a pavilion there for Church use only.

Commissioner Ogrizovich asked about existing drainage and if Engineering is comfortable. Ms. McLeod stated that Engineering has reviewed the drainage.

Commissioner Ogrizovich then asked if all the units are to be owner occupied or potential rental properties. Ms. McLeod answered they would all be owner-occupied. Chairman Cocking asked if this was a deed restriction. Kevin Laughlin, City Attorney, answered he recommends against that level of minutia to control the use of people's property. Ms. McLeod stated that all of these will be platted lots.

Commissioner Ogrizovich asked if near the entry there are designated parking spots. Ms. McLeod answered yes, there is designated visitor parking. There is no on-street parking on Street A. She pointed out various parking spaces along the development, and stated that the parking provided complies with the ALDC – 1 spaces for every 2 units.

Commissioner Hollingsworth stated that Street A is a firelane – is that the same as an apartment complex? Will there be signage? Ms. McLeod answered yes – either through striping, signage, or both.

Mr. Laughlin said incorporation of the firelane was considered during the drafting of the development regulations, but “no parking” designation can be enforced through “no parking” ordinances rather than zoning.

Commissioner Ogrizovich noticed that some lots are larger than others, and asked if it is because of the structure or just extra space.

John Arnold, 8214 Westchester Suite 710, Dallas, TX, developer at Skorburg Company, answered the question by stating that it is not an indication of a larger building – there will be a larger side yard.

Commissioner Platt expressed concern about the entrance to the subdivision and said he is very concerned about that intersection. He said the design of the point of entry looks awkward and is not comfortable with it.

Ms. McLeod pointed out that the AISD representative was comfortable with a deceleration lane– the school bus pickup will occur in that lane.

Chris Flanigan, Director of Engineering, also addressed Commissioner Platt and stated that the purpose of the deceleration lane is to get motorists turning into that lane off Exchange and to have a pick-up/drop-off for AISD. Auto-turn exhibits were also reviewed and vetted by the Fire and Engineering departments that the turn can be made.

Commissioner Platt said that he understands it has been vetted, but he has seen several wrecks in that area over the years. This seems like a hard maneuver even with the deceleration lane – to go 180 degrees in that small area. He said it seems awkward and hasn't seen anything like that. It is a potential area for concern.

Commissioner Hollingsworth asked if there would be anything in the median. Mr. Flanigan answered that the street connection is right-in and right-out with no median cut.

2nd Vice-Chair Trahan said that he noticed a similar driveway situation by Cabela's and Target and that there is a 180 degree turn that has to be taken. He then asked why this development does not have two points of ingress/egress and if that driveway configuration is the best that can be done.

Ms. McLeod answered that there is a minimum spacing requirement between driveways. With the existing driveways on Exchange, adding one for this development was not an option. A second point of

access is not conducive on the northern portion of the property as the Fire Department does not like to use alleys as a second point of access.

2nd Vice-Chair Trahan asked if this is the best that can be offered for entry/exit. Mr. Flanigan said the best solution would be a straight driveway, but infill developments require compromises. The Church wants to keep the existing drive. The geometry used to look like a “Y” as initially proposed. The current plan now presented is better than what was initially shown. It’s not ideal, but is acceptable.

Chairman Cocking said the driveway is the best that is shown, but that the Commission has the ability to say “try again.” Staff has said technically the driveway configuration will work.

Commissioner Ogrizovich asked if the ideal would be a straight entrance, then why is this not possible along with keeping the Church’s entrance?

Mr. Flanigan answered that the spacing is too close together. This distance may be 100’, but the minimum standard for spacing along Exchange is at least 200-250’. The Church wants to maintain their shared access point.

John Arnold, the representative from Skorburg Company, presented to the Commission. He said the name of the project will be Glendover Gardens. He described some of the projects they have done in Allen – Cumberland Crossing with a wide range of lots and Cambridge at Watters Crossing, a smaller infill piece with garden homes. Mr. Arnold stated the property is on the northwest corner of Alma and Exchange and described the various uses surrounding the property. He provided details of the property: 5.5 acres, zoned Community Facilities, proposing Townhomes, and 43 lots. The Comprehensive Plan calls for compact residential with 5-12 units/acres, and they are at around 7 units/acre. Mr. Arnold next showed the proposed Concept Plan and stated they agreed to put in the decel lane to slow traffic which would turn into the site. He then showed elevations – 2 stories, 2 car garages. He mentioned that the rear elevations were recently modified and additional architectural elements were added. He also stated that they are planning on adding a sign on the southeastern corner of the property. Mr. Arnold went over the development regulations and stated that they are exceeding many of the ALDC requirements, which include open space, minimum lot width and depth, and dwelling unit size. Mr. Arnold then went over the setbacks for the lots. Street A will be a fire lane and adequate parking for guests is provided.

Commissioner Ogrizovich asked about anticipated price points for the units. Mr. Arnold answered that the range will vary on the unit size. The smaller units are anticipated to be at \$240,000 with larger units up to \$280,000.

Chairman Cocking opened the public hearing.

Greg Jacobs, 1421 Salado Dr., Allen, TX, addressed the Commissioners. He said he is on the southern side of Exchange. He noticed the Church is the owner and asked whether the townhome units will be sold to individuals and not rentals, and asked about discrimination based on religion, and if the lots would be sold to those belonging to the Church. Secondly, he asked about the 28.5’ landscape and trail easement and if that would be all along the southern property line. He said he drove through the Villas at Twin Creeks and noticed they also had “no parking” areas, but still saw vehicles parked in the driveways, which were blocking sidewalks. He asked if that could be prevented in this development.

Renee Hernandez, 1439 Kingsley Dr., Allen, TX, spoke to the Commission and said that she is opposed. She thinks the City needs to have more of a balance in the types of uses because there have been several residential projects lately. She believes that land is being overdeveloped with residential uses.

Peggy Rook, 1431, Glendover Dr., Allen, TX, addressed the Commissioners and stated she is opposed to the project. She is concerned about the access and the loop on the northern end of the property. She also did not understand how 22 parking spaces for 43 units would be enough for guests to keep them off the streets.

Dena Soliman, 1223 North Alma Dr., Allen, TX, spoke to the Commission. She is the owner of Kids R Kids behind this proposed development. Her biggest concern is safety. Her playground will be adjacent to the property and wants to know what kind of barrier there would be. She thinks there would be a lot of traffic next to them. School busses need a wide radius and even on her property, buses can't turn properly. She is also concerned about the residents who will be in the community who will have a problem with her noise level. Some people may not want kids in their backyards, and is worried about residents having issues with her kids being loud. She is worried about complaints.

Chairman Cocking closed the public hearing.

Commissioner Cocking stated that one written letter was received from Rene Robinson, 12500 TI Boulevard, Dallas, TX, who expressed concerns over density.

Chairman Cocking stated several questions were brought up. He asked Mr. Arnold to discuss ownership.

Adam Bucek, Skorburg Company, addressed the Commission. He said there is no ownership interest. Their company will buy the property from the Church. No units are being reserved for the Church – it will be open to anybody. He then addressed some of the other concerns that were raised. He said again that this will be a for-sale product, not deed-restricted. The landscape buffer will be all along Exchange for aesthetics. They will have picture examples for Council to attach to the PD. He said there is 20' on the driveway before the sidewalk, and they comply with ALDC. They also have deeper lots, and want to keep the depth to have larger backyards, but if the Commission wants a longer driveway, they can shorten the backyards due to the extra depths. Given the depth of the property, a townhome use is a higher and better use than other types of uses. In Mr. Bucek's opinion, the townhome use is a great fit for this vacant property. He addressed the Kids R Kids owner and answered that there is an 8' masonry wall on the entire east edge and there are not rear garages. Units will be fully fenced along that edge.

Chairman Cocking asked about guest parking and if the 1 to 2 ratio would be enough.

Mr. Bucek said they have 22 parking spaces for visitors on this plan, and comply with the ALDC.

Chairman Cocking added if each unit has the ability to park 2 cars in their driveways, 2 inside the garage, and an additional 22 parking spaces for guests. Mr. Bucek said yes.

Mr. Bucek then discussed access and said there was a compromise on the access during staff review. With the decel lane, it would be a built-in traffic buffer. The curve would force drivers to drive slower, which is a good speed control mechanism of the layout.

2nd Vice-Chair Trahan said that as long as public service and emergency vehicles can get in, the free market will control the property – whoever wants to make that turn will buy the properties.

Commissioner Hollingsworth asked about what the possibility is to make the sidewalks a little bit wider due to the smaller street for safety as parked cars cannot be controlled.

Commissioner Platt stated he did not see how a truck could get into the development. He is usually a fan of infill, but said that this seems like a square peg fitting into a round hole. A church, daycare, and

medical use surrounding this does not feel right, and it does not seem like a good fit. His biggest concern is the drive and turn which will cause problems.

Commissioner Orr also stated that the entrance is his biggest issue.

1st Vice-Chair Mangrum stated she agreed with Commissioner Platt about the property. She stated that there is a Church, school, daycare, Legacy ER, and then there's this infill lot. She is concerned about safety. She said it seems like the townhomes are being pushed to fit this area, and would like to see more creativity. She does not see how she could support this.

Chairman Cocking asked if this development is required to be sprinkled due to the length of the cul-de-sac or if the cul-de-sac is not long enough. Ms. McLeod answered that the lots will not have to be sprinkled. The distance is adequate to service the homes from the fire lane. Chairman Cocking asked about the cul-de-sac provision and fire suppression again. Mr. Bucek stated that if the City Ordinance requires it, they will do it.

Mr. Bucek requested to table their project to work with the landowner.

Commissioner Platt said that if the units were all considered one, then they would have to be sprinkled due to the square footage.

Chairman Cocking clarified that none of the other provisions from PD-53 would remain and that this is a new ordinance. Ms. McLeod stated that the base zoning will be converting from Community Facilities to Townhomes and will not carry any other provisions from PD-53.

Chairman Cocking asked about enforcements for parking encroaching on the sidewalks, and if that would be an HOA provision rather than City enforced.

Bo Bass, Director of Community Development, answered that the sidewalk falls within the public right-of-way, so it would be a traffic violation with police enforcement. He also does not want to see the backyard space reduced for front space.

Chairman Cocking asked again about whether this is an HOA concern or City concern. Mr. Laughlin answered that it is difficult, although it can be done, to place this provision in covenants. State laws now have gotten very anti-HOA. He said enforcement through HOA may be possible, but it would be easier to just write a police ticket for people blocking the right-of-way.

Chairman Cocking then asked about Lot 24, Block B, and stated the fence would be tubular steel with red cedar. Would that landscaping be maintained by the HOA? Ms. McLeod stated there would be a maintenance easement for any of the landscaping on private property on the eastern side. She said this would be platted within a maintenance easement.

Chairman Cocking asked who is responsible for maintaining landscaping trees that die. Ms. McLeod answered that the HOA would be responsible.

Mr. Bass stated that wall and landscaping maintenance easements will be on the plat.

Chairman Cocking said that the easement is not on this plat on the eastern side. Mr. Laughlin said it will be on the plat. Chairman Cocking said that there is an easement on the northern side. Ms. McLeod stated the northern side includes a maintenance easement not only for screening, but also to maintain the open space area for ingress/egress. It is a utility easement as well.

Chairman Cocking asked about the plan for the Open Space area on the northwest. Mr. Arnold answered that they do not have a plan yet, but probably a circular trail and landscaping.

Chairman Cocking asked if there was a landscape plan for the front or the rear of the property, and staff said not at this time.

Chairman Cocking then asked about the rear tubular fence (lots 19-24) and why there would be gates. He said usually when there is perimeter screening, it is to curtail movement of people. Should there be gates between subdivisions?

Ms. McLeod stated the gates provide ingress/egress similar to the western and eastern property boundary to access the property from the front and the rear sides.

Chairman Cocking asked if gates have ever been allowed on perimeter fencing between subdivisions.

Mr. Arnold said that the issue is with the 10' utility easement on the north. He said they are willing to move that fence to the property line to have consistency around the property, so lots 19-24 have their own access point with fences behind their homes. They are willing to move the fence back to the property line.

Mr. Flanigan stated that the gap is required there to exit off neighboring lots.

Ms. McLeod pointed out that there is an existing chain link fence on the school property, so the chain-link fence runs along the northern boundary, then there's the 10' utility maintenance easement, followed by the tubular steel fence.

Chairman Cocking said he is uneasy having gates between subdivisions. There's about 6-8 gates there, which would break up landscaping. There wouldn't be a natural hedge then between the properties.

Chairman Cocking asked why trash pads are called out for certain lots. Ms. McLeod answered that it is due to the turning radii of waste service vehicles for full servicing for all of the lots. Commissioner Cocking then verified that the other lots would use poly-carts.

Commissioner Ogrizovich asked if the people who would have to use the poly-cart space farther away would need to roll their own carts to that location. Ms. McLeod said yes, they would have to roll them there, and then place them back after pick-up.

Chairman Cocking listed his overall concerns:

- Masonry wall is stopped at end of Lot 19. It should continue on the east side on the corner of the "Point of Beginning" where Glendover Park Phase 1 connects. There are children back there and a tubular fence with landscaping is not an appropriate barrier.
- Entrance: Chairman Cocking stated he would like to see an updated document with the deceleration lane, sidewalk, and another configuration if possible as he also has concerns with the entrance.
- Fencing: Chairman Cocking said he wants a fencing diagram and a landscaping plan of the front and back of the tubular steel fence. He said he does not just want the "tubular steel" label as this term is vague.
- Chairman Cocking said he wants the following updated: elevations to show 2 car garages, concept plan, fencing diagram, landscaping plan.

Chairman Cocking stated he is uneasy sending this plan to City Council with so many loose ends and with the amount of items. He suggested tabling the item to allow the developers more time to complete the project with the changes.

The Commissioners agreed that the developer can have another chance to revise the project addressing the concerns.

Chairman Cocking asked the applicant that if the item can be tabled to the June 16th meeting if that is enough time to complete the various items.

Mr. Bucek answered yes.

Chairman Cocking reopened the public hearing.

Motion: **Upon a motion by 1st Vice-Chair Mangrum, and a second by Commissioner Platt, the Commission voted 7 IN FAVOR, and 0 OPPOSED to table the request to amend the development and use regulations applicable to Tract 4 of Planned Development PD No. 53, from Community Facilities CF to Townhome Residential District TH, and adopt a Concept Plan, Building Elevations, and Development Regulations for Lot 2, Block A, Allen Stake Center to June 16, 2015.**

The motion carried.

Adjournment

The meeting adjourned at 8:21 p.m.

These minutes approved this _____ day of _____ 2015.

Jeff Cocking, Chairman

Madhuri Kulkarni, Planner

Director's Report from 5/26/2015 City Council Meeting

- There were no items taken to the May 26, 2015 City Council Meeting.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: June 16, 2015

SUBJECT: Consider a Final Plat for CLA Allen Addition, Lot 6A and 6B, Block A, being 5.814± acres situated in the L.K. Pegues Survey, Abstract No. 702, located at the northeast corner of US75 and Exchange Parkway. (FP-5/18/15-30) [Children's Learning Adventure]

STAFF RESOURCE: Madhuri Kulkarni
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development 58 Adopted - March, 1996
Amended PD 58 – October, 2014
Preliminary Plat Approved – January, 2015

BACKGROUND

The property is generally located east of US Highway 75 and north of Exchange Parkway. The properties to the north and east are zoned Planned Development PD No. 58 for Shopping Center SC. The property to the south (across Exchange Parkway) is zoned Planned Development PD No. 21 for Garden Office GO. The property to the west (across US Highway 75) is zoned Planned Development PD No. 54 for Corridor Commercial CC.

A PD Concept Plan for the property was approved in October 2014 and a Preliminary Plat was approved in January 2015. The Final Plat is the last step in the development process.

The Final Plat shows two (2) lots, Lot 6A and Lot 6B, on approximately 5.8± acres. There are a total of five (5) access points for the property. One point of access is on Exchange Parkway. The remaining access points are provided through access easements from the surrounding properties. The plat also shows various easements and ROW dedication required for development of the site.

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

STAFF RECOMMENDATION

Staff recommends approval.

RECOMMENDED MOTION

I make a motion to approve the Final Plat for CLA Allen Addition, Lots 6A and 6B, Block B, for Children's Learning Adventure.

ATTACHMENTS

Final Plat

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: June 16, 2015

SUBJECT: Public Hearing – Conduct a Public Hearing and consider a request to amend Specific Use Permit No. 129 relating to the identity of the owner/operator of the business authorized to operate under this Specific Use Permit. The property is Lot 3, Block A, Watters Village; known as 909 W. Stacy Road, Allen, Texas. (SUP-6/4/15-34) [Emler Swim School]

STAFF RESOURCE: Patrick Blaydes
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development No. 86 Approved – March, 2000
Planned Development No. 86 Amended –January, 2010
GDP Approved – March, 2010
Preliminary Plat Approved – September, 2010
Final Plat Approved – December, 2010
Planned Development No. 86 Amended – January 17, 2012
SUP No. 129 approved – August, 2012

PUBLIC NOTICE: Property Owner Notices – Mailed June 5, 2015
Sign Installed – June 4, 2015

BACKGROUND

The property is located south of Stacy Road and west of Curtis Lane. The property to the north (across Stacy Road) is zoned Planned Development No. 92 for Single Family Residential R-7. The property to the east (across Curtis Lane) is zoned Planned Development No. 93 for Townhomes TH. The property to the south is zoned Planned Development No. 86 for Single Family Residential R-6. The property to the west is zoned Planned Development No. 86 for Shopping Center SC.

In August 2012, a Specific Use Permit was approved for a Fitness and Health Center for this property. The SUP was approved under the condition that only Emler Properties Inc. operated the Fitness and Health Center. The applicant is requesting that the SUP be amended to allow ESN Swim School, LLC to operate the facility. The applicant has stated that the operation will not change, and that the business will still be known and operated as Emler Swim School.

STAFF RECOMMENDATION

Staff recommends approval.

RECOMMENDED MOTION

I make a motion to recommend approval of the request to amend Specific Use Permit No. 129 relating to the identity of the owner/operator of the business authorized to operate under this Specific Use Permit for Lot 3, Block A, Watters Village; known as 909 W. Stacy Road, Allen, Texas, for Emler Swim School.

ATTACHMENTS

Property Notification Map
Specific Use Permit No. 129

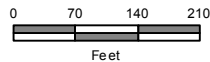


Property Ownership Notification

Emier Swim School
909 W. Stacy Rd.

Map Legend

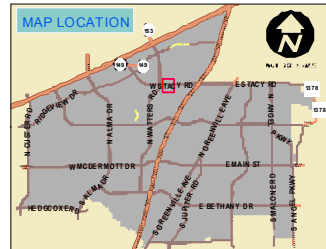
- 200' Notification Buffer
- Property Rezone
- Railroad
- ColinCAD Parcels
- City Limit



Planning & Development - GIS

Date Saved: 6/4/2015

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



ORDINANCE NO. 3101-8-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY GRANTING SPECIFIC USE PERMIT NO. 129 AUTHORIZING THE PROPERTY DESCRIBED AS LOT 3, BLOCK A, WATTERS VILLAGE, CITY OF ALLEN, TEXAS (ALSO KNOWN AS 909 W. STACY ROAD, ALLEN, TEXAS) PRESENTLY ZONED PLANNED DEVELOPMENT NO. 86 FOR SHOPPING CENTER "SC" USE, TO BE DEVELOPED AND USED FOR A FITNESS AND HEALTH CENTER; ADOPTING A SITE PLAN, LANDSCAPE PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, as previously amended, be further amended by granting Specific Use Permit No. 129 authorizing the property described as Lot 3, Block A, Watters Village, an addition to the City of Allen, Collin County, Texas (also known as 909 W. Stacy Road, Allen, Texas) (the "Property"), which is presently zoned Planned Development No. 86 for Shopping Center "SC" use to be developed and used for a Fitness and Health Center.

SECTION 2. The Property shall be used only in the manner and for the purposes provided for in the Allen Land Development Code Zoning Regulations, as heretofore amended, and, if developed and used as a Fitness and Health Center in accordance with this Specific Use Permit No. 129, shall be subject to the following special conditions:

- A. The Specific Use Permit granted hereby is expressly limited to the area of the Property shown in the Site Plan attached hereto as Exhibit "A" and incorporated herein by reference.
- B. The use and development of the Property as a Fitness and Health Center shall be only in accordance with the Site Plan attached as Exhibit "A," in accordance with the Landscape Plan attached as Exhibit "B," and the Building Elevations set forth in Exhibit "C," attached hereto and incorporated herein by reference.
- C. Only Emler Properties, Inc. is authorized by this Ordinance to use the Property for a Fitness and Health Center.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 28TH DAY OF AUGUST, 2012.

APPROVED:


Stephen Ferrell, MAYOR

APPROVED AS TO FORM:

ATTEST:

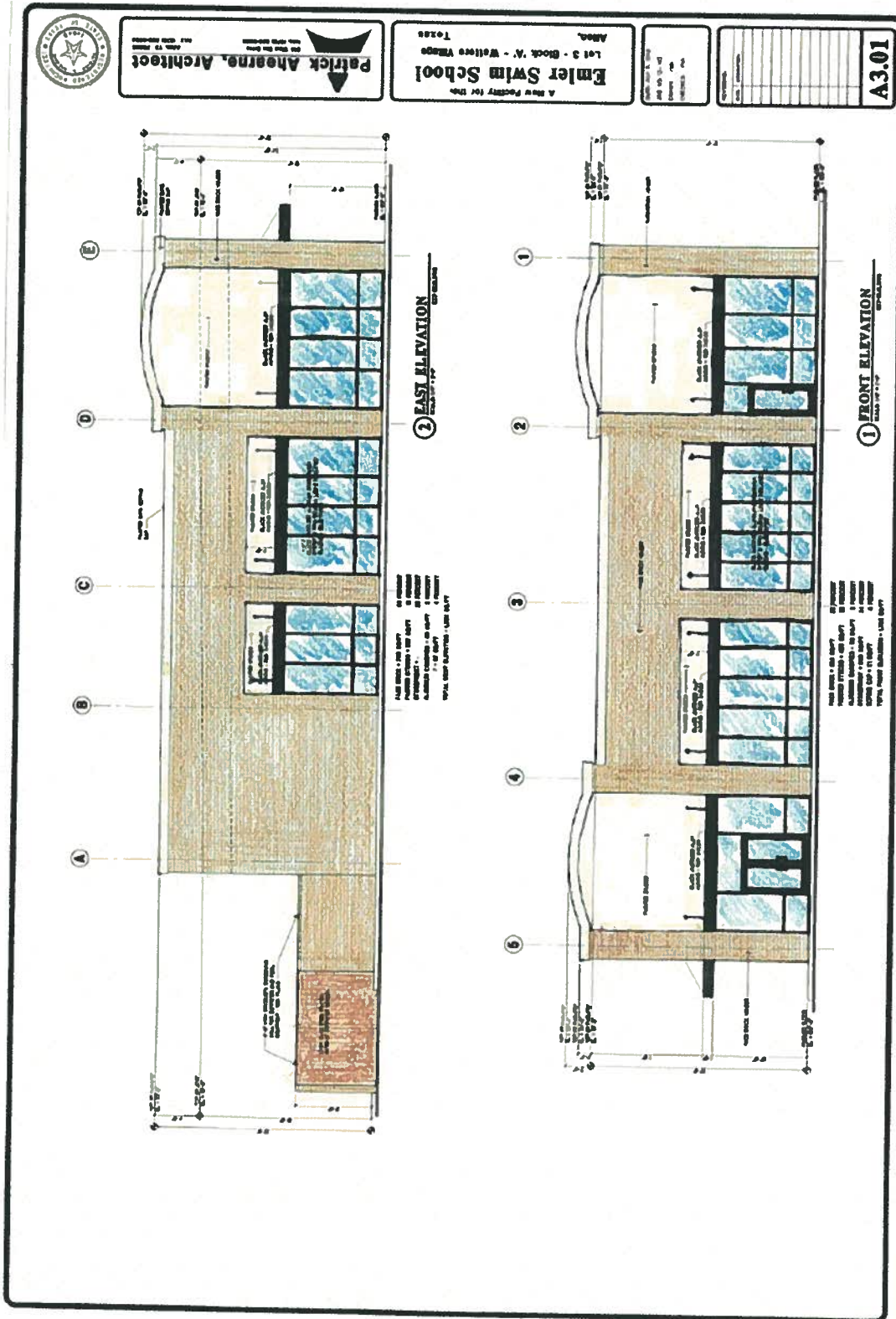
Peter G. Smith, CITY ATTORNEY
(kbl:8/17/12:56929)


Shelley B. George, TRMC, CITY SECRETARY

[illegible]

[illegible]

EXHIBIT "C" BUILDING ELEVATIONS



[illegible]

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: June 16, 2015

SUBJECT: Tabled Item - Conduct a Public Hearing and consider a request to amend the development and use regulations applicable to Tract 4 of Planned Development PD No. 53, from Community Facilities CF to Townhome Residential District TH, and adopt a Concept Plan, Building Elevations, and Development Regulations for the Property. The Property is Lot 2, Block A, Allen Stake Center, City of Allen, Collin County, Texas; generally located west of Alma Drive and north of Exchange Parkway. (Z-2/4/15-3) [Allen Stake Center]

STAFF RESOURCE: Tiffany McLeod
Senior Planner

PREVIOUS BOARD/COUNCIL ACTION: PD Created – Approved May, 1993
PD Amended – Approved May, 2003
General Development Plan – Approved December, 2003
Combination Plat – Approved March, 2004

LEGAL NOTICES: Public Hearing Sign – Installed May 20, 2015
Property Owner Notices – Mailed May 22, 2015

ANTICIPATED COUNCIL MEETING: July 14, 2015

BACKGROUND

The property is generally located north of Exchange Parkway and west of Alma Drive. The property to the north is zoned Planned Development No. 53 Single Family Residential SF. The properties to the east are zoned Planned Development No. 53 Single Family Residential R-6 and Planned Development No. 53 Shopping Center SC. The properties to the south, across Exchange Parkway, are zoned Planned Development No. 54 Single Family Residential SF. The property to the west is zoned Planned Development No. 53 Community Facilities CF.

The subject property is approximately 5.6 acres and is currently owned by the Church of Jesus Christ LDS. The property is currently zoned Planned Development No. 53 with a base zoning of Community Facilities CF. On June 2, 2015, the applicant submitted a request to change the base zoning of the property and adopt a Concept Plan, development regulations and building elevations to develop a townhome subdivision with 43 front entry lots.

The request was tabled to allow the applicant time to address questions and concerns voiced by the Commission. The applicant has made the following changes in response:

- The driveway configuration for the subdivision has changed. There is now a direct approach from Street A to Exchange Parkway. The easternmost driveway on the Church of Jesus Christ LDS property will be closed. The second point of access for the Church of Jesus Christ LDS property will be provided through a future firelane and access easement that connects to the townhome subdivision.
- All of the townhome will be fire sprinklered.
- The width of Lot 24, Block B has been reduced in order to provide a 10' HOA open space on the northeastern boundary for the purpose of emergency ingress/egress.

- Enhanced landscaping (to include Live Oaks, Chinese Pistache trees and various shrubs) will be placed along Exchange Parkway.
- A walking path, trees and seating area will be placed within the large open space area at the northwest end of the property.
- The 8' masonry wall, along the eastern boundary, has been extended to the southern boundary of the Glendover Parks Ph. 1 subdivision.
- The 8' masonry wall (along the west side) and tubular steel fence with eastern red cedars (along the east side) has been extended to the northern property boundary.
- The decorative driveway material has been changed to an exposed aggregate finish.
- The front elevation has been corrected to show only two car garages.

A revised Concept Plan, Landscape Plan, Screening Plan, Open Space/Sidewalk/Emergency Access Plan, decorative driveway example, revised Front Building Elevation and revised Development Regulations are attached and reflect the changes listed above.

STAFF RECOMMENDATION

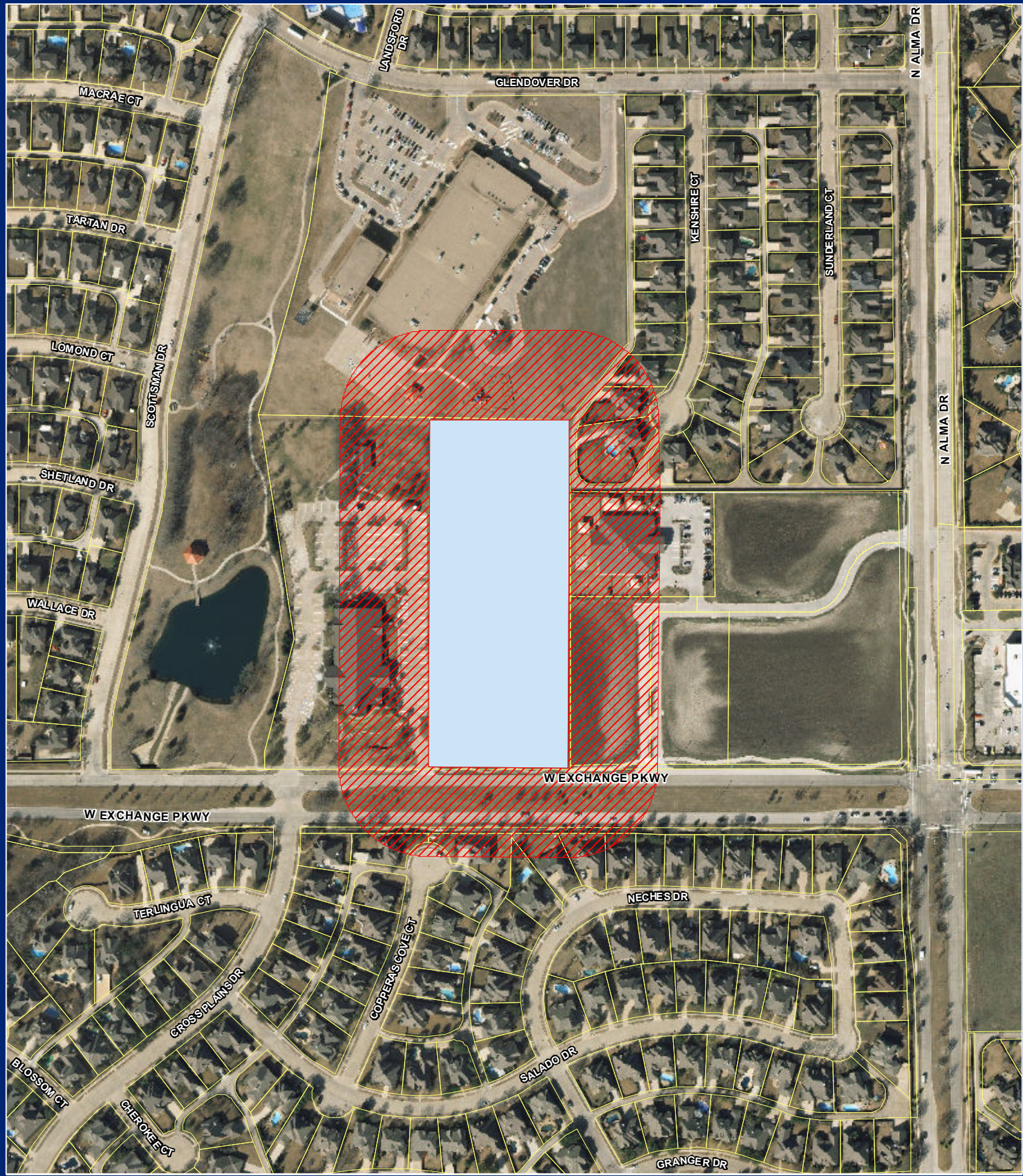
Staff recommends approval.

RECOMMENDED MOTION

I make a motion to recommend approval of the request to amend the development and use regulations applicable to Tract 4 of Planned Development PD No. 53, from Community Facilities CF to Townhome Residential District TH, and adopt a Concept Plan, Building Elevations, and Development Regulations for Lot 2, Block A, Allen Stake Center.

ATTACHMENTS

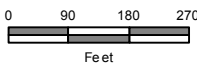
Property Notification Map
Development Regulations
Decorative Driveway Example
Front Building Elevation
Screening Plan
Open Space/Sidewalk/Emergency Access Plan
Concept Plan
Landscape Plan



Property Ownership Notification
Allen Stake Center

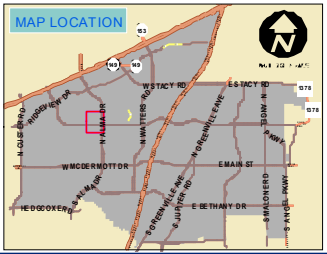
Map Legend

- 200' Notification Buffer
- Property Rezone
- Railroad
- CollinCAD Parcels
- City Limit



Planning & Development - GIS
Date Saved: 5/19/2015

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



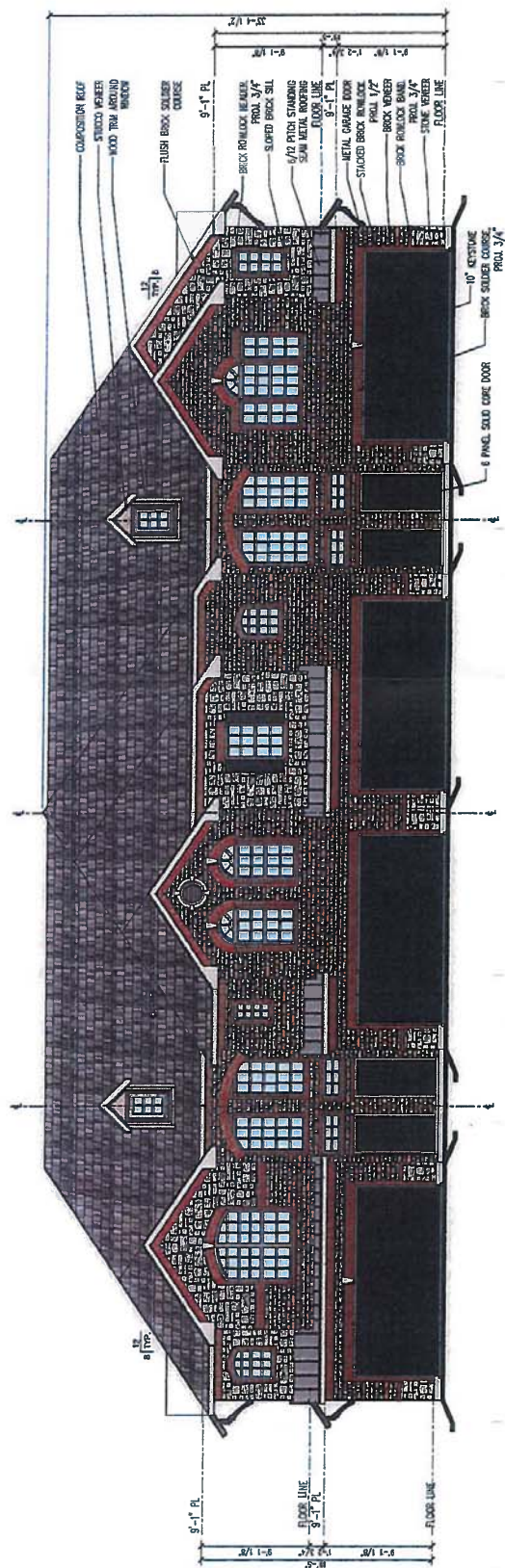
DRAFT OF PROPOSED DEVELOPMENT REGULATIONS FOR ALLEN STAKE CENTER

The Property shall be developed and used in accordance with the applicable provisions of the Allen Land Development Code, as amended, (“ALDC”) except to the extent modified by the Development Regulations set forth below:

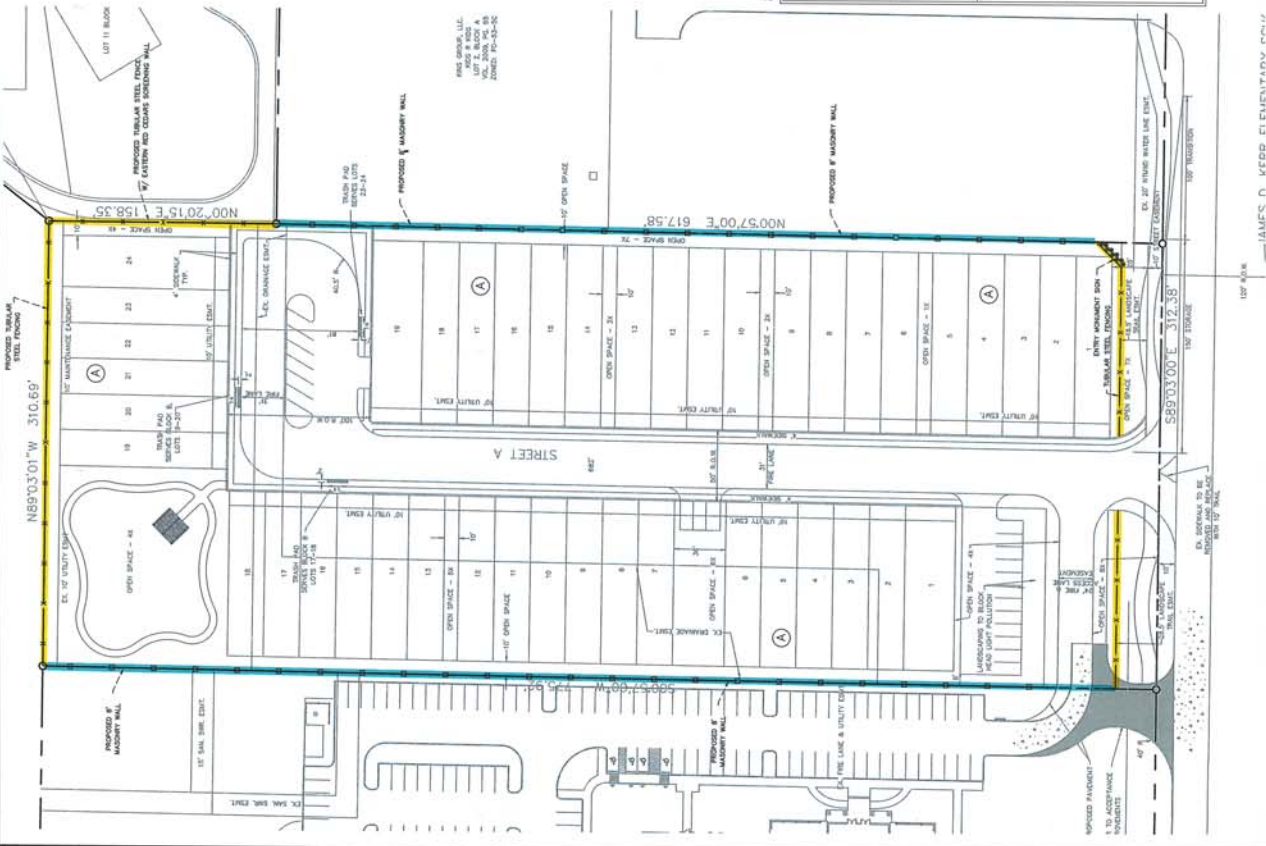
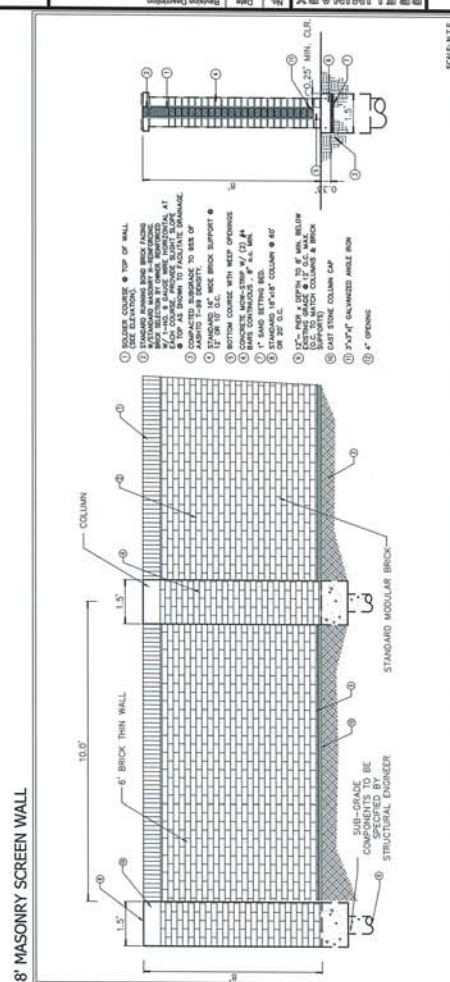
- A. BASE ZONING DISTRICT:** The Property shall be developed and used only in accordance with the Townhome Residential District TH standards of the ALDC, except as otherwise provided herein.
- B. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “A” and incorporated herein by reference. Minor modifications to streets that do not alter the general alignment shown on the Concept Plan may be made at the time of platting.
- C. LANDSCAPE PLAN:** The Property shall be developed in general conformance with the Landscape Plan attached hereto as Exhibit “B”, and incorporated herein by reference.
- D. SCREENING PLAN:** Screening on the property shall be developed in general conformance with the Screening Plan attached hereto as Exhibit “C”, and incorporated herein by reference.
- E. BUILDING ELEVATIONS:** The Property shall be developed in general conformance with the Building Elevations attached hereto as Exhibit “D”, and incorporated herein by reference.
- F. LOT WIDTH:** Except for the Open Space Lots 1X, 2X, 3X, and 5X as shown on the Concept Plan, the minimum lot width shall be 25 feet.
- G. LOT DEPTH:** The minimum lot depth shall be 115 feet.
- H. GARAGES:** The minimum garage setback shall be 20 feet from the front property line. A two car garage shall be provided for each townhome unit.
- I. MINIMUM DWELLING UNIT SIZE:** The minimum dwelling unit size shall be 1,350 square feet.
- J. DRIVEWAYS:** Driveways shall be treated with an exposed aggregate finish.

The driveway located on the Lot 1, Block A, Allen Stake Center, as shown on the Concept Plan, shall be removed prior to the acceptance of public improvements for the development.
- K. ON STREET PARKING:** Street A shall be designated as a firelane. The maintenance for the firelane striping and signage shall be the responsibility of the homeowner’s association. There shall be no parking on Street A.
- L. CLUSTER MAILBOXES:** Cluster mailboxes shall be provided.
- M. DRAINAGE COEFFICIENT:** The drainage coefficient for runoff shall be 0.8.

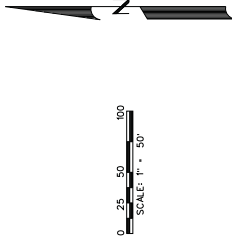
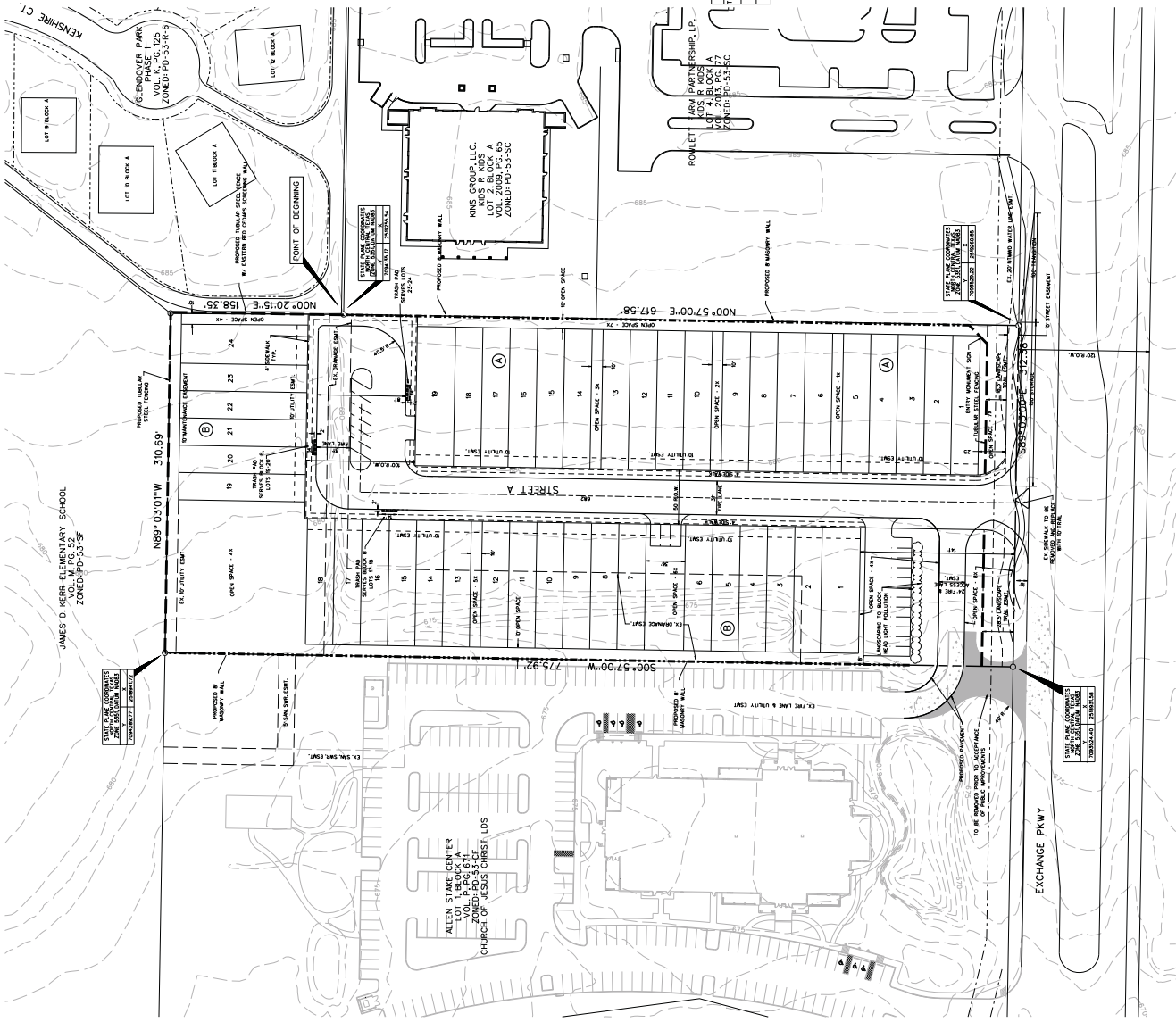
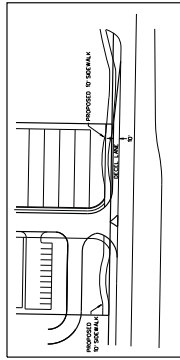
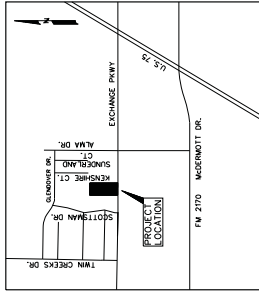




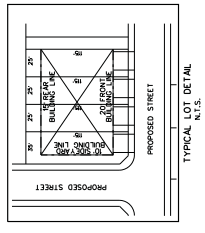
FRONT ELEVATION
 SCALE: 1/8" = 1'-0" (NOTES: SCALE 3/16" = 1'-0" ON 20x24 PAGES)



OWNER
CHURCH OF JESUS CHRIST LDS
50 E. NORTH TEMPLE
SALT LAKE CITY, UTAH 84150
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT SUITE E
ALLEN, TEXAS 75013
972-396-1030
WARREN CORWIN
JUNE 2015 SCALE: 1"=50'



NOTE:
OPEN SPACE LOTS TO BE MAINTAINED
BY THE HOA.
ALL TOWN HOME LOTS TO BE FIRE SPRINKLERED.



TOTAL OPEN SUMMARY

7A - 0.03 AC.
7B - 0.03 AC.
7C - 0.03 AC.
7D - 0.03 AC.
7E - 0.03 AC.
7F - 0.03 AC.
7G - 0.03 AC.
7H - 0.03 AC.
7I - 0.03 AC.
7J - 0.03 AC.
7K - 0.03 AC.
7L - 0.03 AC.
7M - 0.03 AC.
7N - 0.03 AC.
7O - 0.03 AC.
7P - 0.03 AC.
7Q - 0.03 AC.
7R - 0.03 AC.
7S - 0.03 AC.
7T - 0.03 AC.
7U - 0.03 AC.
7V - 0.03 AC.
7W - 0.03 AC.
7X - 0.03 AC.
7Y - 0.03 AC.
7Z - 0.03 AC.
TOTAL ACRES - 1.40

LEGEND

- PROPOSED 18" DIA. UTILITY
- PROPOSED 18" DIA. UTILITY
- PROPOSED 18" DIA. UTILITY

SITE DATA SUMMARY TABLE

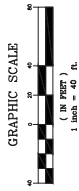
ITEM	DESCRIPTION	AMOUNT	UNIT
1	TOTAL ACRES	1.40	AC.
2	TOTAL OPEN SPACE	0.03	AC.
3	TOTAL TOWN HOME LOTS	43	LOTS
4	TOTAL TOWN HOME LOTS	43	LOTS
5	TOTAL TOWN HOME LOTS	43	LOTS
6	TOTAL TOWN HOME LOTS	43	LOTS
7	TOTAL TOWN HOME LOTS	43	LOTS
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96	TOTAL TOWN HOME LOTS	43	LOTS
97	TOTAL TOWN HOME LOTS	43	LOTS
98	TOTAL TOWN HOME LOTS	43	LOTS
99	TOTAL TOWN HOME LOTS	43	LOTS
100	TOTAL TOWN HOME LOTS	43	LOTS

CONCEPT PLAN
OF
ALLEN STAKE CENTER
LOT 2, BLOCK A
43 TOTAL RESIDENTIAL LOTS
7 TOTAL OPEN SPACE LOTS

MARY STANDIFER SURVEY, ABSTRACT NO. 812

CITY OF ALLEN
COLLIN COUNTY, TEXAS
APPLICANT
SKOBURG COMPANY
8214 WESTCOTE DRIVE, SUITE 710
DALLAS, TEXAS 75225
214-522-4945
SKOBURG.COM

OWNER
CHURCH OF JESUS CHRIST LDS
50 E. NORTH TEMPLE
SALT LAKE CITY, UTAH 84143
PREPARED BY
CORWIN ENGINEERING, INC.
200 W. BELMONT SUITE E
ALLEN, TEXAS 75013
972-396-1200
WWW.CORWIN-ENG.COM
JUNE 2015 SCALE: 1"=50'

[illegible][illegible]