

AGENDA CITY OF ALLEN PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, AUGUST 16, 2016 – 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 August 9, 2016, 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 August 2, 2016, regular meeting.
- 3. Capital Improvement Program (CIP) Status Report.

Regular Agenda

- 4. Public Hearing Conduct a Public Hearing and consider a request for a Specific Use Permit for a Minor Automotive Repair use for Lots 1 and 2, Block A, Harley-Davidson Allen Addition; generally located north of Motorsport Court and west of US Highway 75. (5/18/16-41) [Discount Tire]
- Public Hearing Conduct a Public Hearing and consider a request to amend the development regulations and adopt a Concept Plan and Building Elevations relating to a 29.001± acre portion of Planned Development PD No. 76 located in the T.G. Kennedy Survey, Abstract No. 500; generally located on the southeast corner of the intersection of Bethany Drive and Montgomery Boulevard. (4/12/16-28) [Angel Field East]
- 6. Public Hearing Conduct a Public Hearing and consider a request to amend the development regulations and adopt a Concept Plan and Building Elevations relating to a 13.605± acre portion of Planned Development PD No. 92 located in the F. Dosser Survey, Abstract No. 280; generally located north of Stacy Road and west of Chelsea Boulevard. (Z-5/3/16-36) [Garage Condos and Self-Storage]

7. 2017-2021 Capital Improvement Program Presentation.

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, August 12, 2016 at 5:00 pm.

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 8/9/2016 City Council Meeting

• There were no items taken to the August 9, 2016, City Council Meeting.



PLANNING AND ZONING COMMISSION

Regular Meeting August 2, 2016

ATTENDANCE:

Commissioners Present:

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

Absent:

City Staff Present:

Ogden "Bo" Bass, AICP, Director of Community Development Lee Battle, AICP, LEED AP, Assistant Director of Community Development Madhuri Kulkarni, AICP, Senior Planner Shawn Poe, PE, Assistant Director of Engineering 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 7:02 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 July 26, 2016, regular meeting., attached.

<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 July 19, 2016, regular meeting.
 - Motion: Upon a motion by Commissioner Mangrum, and a second by Commissioner Hollingsworth, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.

The motion carried.

Regular Agenda

3. Public Hearing/Replat – Conduct a Public Hearing and consider a request for the replat of Lot 1-R, Block A, Allen Watters-NTB Addition, generally located south of McDermott Drive and west of Watters Road. (FP-6/8/16-45) [Allen Watters NTB Addition]

Ms. Madhuri Kulkarni, Senior Planner, presented the item to the Commission. She stated that the item is a public hearing and a Replat for Allen Watters NTB Addition.

Ms. Kulkarni said that the property is located south of McDermott Drive and west of Watters Road; and commonly known as 270 S. Watters Road. The properties to the west and south are zoned Planned Development PD No. 55 Office/Multi-family Residential O/MF. The properties to the north are zoned Shopping Center SC. The properties to the east are zoned Shopping Center SC, and further east (across Watters Road), zoned Planned Development PD No. 55 Commercial/Office C/O.

The property is currently zoned Planned Development PD No. 122 Multi-Family Residential MF-18. A PD Amendment for an urban style multi-family residential development, known as Vera Watters, was approved in January 2016. A Site Plan for the development was approved in June, 2016. Platting is the last step in the development process.

Ms. Kulkarni stated that the Replat shows an approximately six-acre lot. There are five access points into the development. Two access points are located on Watters Road. The remaining three access points are provided through existing firelane, access, and utility easements. The plat also shows easements required for development.

The Replat has been reviewed by the Technical Review Committee, is consistent with the PD Amendment Concept Plan and Site Plan, and meets the standards of the <u>Allen Land Development Code</u>.

Chairman Cocking opened the public hearing.

Chairman Cocking closed the public hearing.

- Motion: Upon a motion by 1st Vice-Chair Trahan, and a second by Commissioner Mangrum, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Replat for Lot 1-R, Block A, Allen Watters-NTB Addition, generally located south of McDermott Drive and west of Watters Road.
- Public Hearing/Replat Conduct a Public Hearing and consider a request for the replat of Lot 3R, Block A, Texet Addition, generally located north of Ridgemont Drive and west of Greenville Avenue (RP-6/27/16-50) [Allen IntelliEpi Addition]

Ms. Madhuri Kulkarni, Senior Planner, presented the item to the Commission. She stated that the item is a public hearing and a Replat for Allen IntelliEpi Addition.

Ms. Kulkarni said that the property is generally located north of Ridgemont Drive and west of Greenville Avenue. The properties to the north, west (across the DART right-of-way), south (across Ridgemont Drive), and east are zoned Light Industrial LI.

The property is zoned Heavy Industrial HI. The Site Plan shows one building for office, manufacturing, and warehouses uses (for Intelligent Epitaxy Technology), and is currently being reviewed. Platting is the last step in the development process.

Ms. Kulkarni stated that the replat shows an approximate 7.5-acre lot. There are two access points into the development, both on Ridgemont Drive. The plat also shows various easements and right-of-way dedication required for development.

The Replat has been reviewed by the Technical Review Committee, is consistent with the Site Plan, and meets the standards of the *ALDC*.

Chairman Cocking opened the public hearing.

Chairman Cocking closed the public hearing.

- Motion: Upon a motion by Commissioner Hollingsworth, and a second by Commissioner Orr, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Replat of Lot 3R, Block A, Texet Addition, generally located north of Ridgemont Drive and west of Greenville Avenue, for Allen IntelliEpi Addition.
- 5. Public Hearing Conduct a Public Hearing and consider a request to amend the Development Regulations and adopt a Concept Plan and Building Elevations for Lot 2R, Block 1, Allen Station Business Park #2, commonly known as 1379 Andrews Parkway; generally located north of Exchange Parkway and west of Andrews Parkway, and within the Planned Development PD-58 Light Industrial LI zoning district. (Z-5/18/16-40) [Simply Storage]

Ms. Madhuri Kulkarni, Senior Planner, presented the item to the Commission. She stated that the item is a public hearing and a PD amendment for Simply Storage.

Ms. Kulkarni said that the property is generally located north of Exchange Parkway and west of Andrews Parkway. The property to the north is zoned Planned Development PD No. 103 Shopping Center SC. The properties to the east (across Andrews Parkway) and south are zoned Planned Development PD No. 58 Light Industrial LI. The property to the west (across the DART right-of-of-way) is zoned Planned Development PD No. 58 Shopping Center SC.

Ms. Kulkarni mentioned that the applicant is proposing to develop the roughly 3.5 acre lot for a miniwarehouse/public storage facility. The property is zoned Planned Development PD No. 58 Light Industrial LI. The applicant is proposing to amend the Development Regulations, and adopt a Concept Plan and Building Elevations for the property.

Ms. Kulkarni said that the proposed mini-warehouse building is approximately 143,901 square feet, with a 1,000 square feet being dedicated for office use. The building will be 3 stories with a maximum height of 40 feet. She further stated that the parking provided exceeds the *ALDC* parking requirement. Additionally, two loading areas are proposed for the building. There is a loading area on the southern side of the building, with three loading spaces, which meets *ALDC* standards. There is also an additional loading area on the northern side. Both loading areas are screened with an 8' masonry screening wall and enhanced landscaping.

Screening for the property will consist of an eight foot (8') wrought-iron screening fence on the northern and western property lines.

Ms. Kulkarni then discussed access points and said there are two points of access into the development; both on the 24' Fire Lane, Access, and Utility Easement on the eastern side of the property.

Next, Ms. Kulkarni presented the building elevations and said the primary exterior building materials include brick and glass. She pointed out that this is a storage building, but looks more like an office building. She said the building will have all internal access and will be climate controlled.

Ms. Kulkarni summarized the development regulations as follows:

- Additional Permitted Use: Mini-Warehouse/Public Storage
- Concept Plan: The property shall be developed in general conformance with the Concept Plan
- Building Elevations: The exterior façades of buildings shall generally conform with the Building Elevations
- Screening: The property shall be developed in general conformance with the Concept Plan.
- Hours of Operation for the Office use: Monday – Friday, 9:00 a.m. to 6:00 p.m.
 Saturday, 8:30 a.m. to 5:00 p.m.
 Sunday, 12:00 p.m. to 4:00 p.m.
- Auctions: Auctions related to sale of private property held in storage units shall be permitted 2 times/year with a Temporary Use/Special Event Permit.
- Special Zoning Provisions: In addition to the stipulations in ALDC Section 6.06.5, the following modifications and/or additions apply:
 - 1. An on-site caretaker office and residence is not required.
 - 2. Maximum building height shall be 3 stories or 40'
 - 3. Roof-mounted mechanical equipment (not visible from adjacent public streets) is permitted
 - 4. Storage of combustible and explosive materials is prohibited (in addition to odorous, hazardous, or toxic materials)
 - 5. Conduct of sales, business, or any activity other than storage, including the conversion of any individual storage units to an office, retail, or other non-residential use, is prohibited
 - 6. No portion of the Property may be used for residential purposes (except for manager of business)

Commissioner Magnum asked if this use is similar to most storage units where customers have 24/7 access with a code.

Ms. Kulkarni answered that is correct.

Chairman Cocking asked if there would be a gate around the property or if the firelane will be open.

Ms. Kulkarni said there will not be a gate.

Chairman Cocking opened the public hearing.

Chairman Cocking closed the public hearing.

Commissioner Ogrizovich said this is a nice looking storage facility.

Chairman Cocking commented that the next door neighbor (Caliber Collision) parks 9-15 cars on the proposed Simply Storage property. He thinks there will be parking challenges, and wants neighbors to work together. He said that the applicant can work with staff, especially Code Compliance, if and when necessary.

Kevin Laughlin, City Attorney, said that on the proposed development regulations, the hours of operation related only to the office and were not clear regarding the 24 hour access by customers. He said this language will be revised and clarified on the ordinance.

- Motion: Upon a motion by Commissioner Ogrizovich, and a second by 2nd Vice-Chair Platt, the Commission voted 7 IN FAVOR, and 0 OPPOSED to recommend approval of the request to amend the Development Regulations and adopt a Concept Plan and Building Elevations for Lot 2R, Block 1, Allen Station Business Park #2, commonly known as 1379 Andrews Parkway; generally located north of Exchange Parkway and west of Andrews Parkway, for Simply Storage.
- 6. Public Hearing Conduct a Public Hearing and consider a request for an amendment to the Allen Land Development Code, Section 6.06.11 "Solar Panels".

Mr. Lee Battle, Assistant Director of Community Development, presented the item to the Commission.

He stated that the item is an ALDC amendment regarding requirements for solar panels. He said in 2012, initial requirements were adopted for solar panels; there was nothing related to solar panels in the ordinance before that time. For the past four years, these initial set of rules have been followed.

Technology changes and market evolution has prompted the amendment. Recently the City was approached by a group including solar panel installers, advocates and residents, requesting that the ordinance be amended to reduce the level of regulations and provide more flexibility for solar panel installations. Staff has reviewed the existing ordinance and recommended some changes. This item was presented to the City Council on July 12 and staff received direction to bring forward an ordinance amending some of the requirements.

Mr. Battle said the commission usually receives a marked up red-lined version, but since there were many changes in this case, the entire section would be replaced. Many elements are being removed from the original regulations.

Mr. Battle started the presentation by stating that solar panels are permitted by right in all zoning districts in Allen. Solar Panels would continue to be an accessory use permitted anywhere through a building permit. There is a separate checklist specifically for solar panel installation. Mr. Battle said the number of these building permits have increased over the last year.

Mr. Battle discussed rooftop instillations, including:

- a. Primary & accessory structures: This would be an expansion of the current Code as accessory structures can now have solar panels as well (such as patio covers or accessory buildings)
- b. Shall not directly face public street: Mr. Battle said this element has been in the Code to help mitigate any negative aesthetic concerns in the City. He pointed out that this is the area on which most comments from the public were received. Some advocates want to see this regulation

removed to increase the area and location in which solar panels can be placed. The most efficient location for solar panels are those facing south, so this regulation may hinder south street-facing houses. Concerns about aesthetics, however, have also been brought up. Many individuals are concerned with how solar panels look and how property values might be affected. Both of these are opposite views, and this ordinance tries to keep a balance. The intent of the ordinance is to regulate the side of the roof that faces streets.

- c. Parallel to the roof: Solar panels cannot be cantilevered (due to wind load and aesthetic concerns)
- d. Flat roofs height & screening: Solar panels can be on flatroofs but have to be screened by a parapet wall

Mr. Battle then explained ground-mounted installations, a new element in the Code. Solar panels were previously limited to roofs, but ground mounted solar panels will provide another opportunity.

Two requirements for ground-mounted installations include:

- a. Applicable setbacks must be met (backyards and side yards)
- b. Separated by solid fence the equipment needs to be fenced in for an aesthetic barrier (to limit the visibility) and for safety and security reasons. The intent is not to make the product invisible, but to mitigate aesthetic concerns.

Finally, Mr. Battle presented some additional requirements –

- a. Building & Fire Code compliance: Mr. Battle said the 2015 Building and Fire Codes were referenced as these include specific language regarding roof coverage and spacing. The 2015 Building & Fire Codes will soon be adopted.
- b. Glare: Mr. Battle said language regarding glare is included in case an issue occurs, but glare is not a common problem
- c. Maintenance: As solar panels are installed, they are subject to wear and tear with the potential to deteriorate. Most people take care of the equipment, and this section would give the City a tool for enforcement (especially for abandoned or vacant houses)

Mr. Battle said comments were received from the public, and include reference to the North Texas model COG which is creating an ordinance for best practices. COG has great guidelines, but it is a model ordinance for the entire region, so pieces have to fit the community for Allen.

Mr. Battle also said staff researched other cities. Some cities are hands-off and rely solely on their building codes with minimum regulations. Other cities have elements in their land development codes. Allen would be in the minority regarding the front facing solar panels, although other cities do have similar language.

Commissioner Mangrum asked about maintenance and referenced a section in the draft ordinance that stated unused solar panels shall be disengaged to prevent accidental charges to property or people. She asked how is this being done.

Mr. Battle said it is not something that the City would do proactively, but would address or enforce this if a property was vacant or abandoned to avoid a potential hazard.

Commissioner Mangrum confirmed that there is not really a way to regulate this unless the City knows about it.

Mr. Battle said that is correct.

Commissioner Ogrizovich asked if a Homeowner's Association can restrict something that the City permits by right.

Mr. Battle said that deed restrictions are an independent set of rules from City Ordinances. In this case, the state has passed legislation that limits what HOAs can do with regards to solar panels, which essentially states that HOA cannot limit the placement of solar panels on private property.

Commissioner Ogrizovich sought clarification on roof-facing public street and asked if it is limited to the front elevation.

Mr. Battle said the language is "directly facing" a public street. This applies to any roof slope directly facing the street, regardless of whether it is in the front, side, or rear. The regulation is not intended to just be the "front" of the house, but any side that faces the street. Some interpretation will be required.

Commissioner Ogrizovich asked about non-roof mounted panels, and confirmed that they need to be enclosed by a fence, but the fence is not required to be as high as the equipment.

Mr. Battle said yes.

1st Vice-Chair Trahan said it has to be a solid fence.

Mr. Battle said correct.

Chairman Cocking said the equipment has to be screened with a normal, 6' privacy fence.

Commissioner Ogrizovich asked if the fence had to be 6'.

Mr. Battle said no, the screening just has to be a solid fence.

1st Vice-Chair Trahan said he noticed that several neighbors have circular airflows mounted on their roofs. A majority are square. He asked if there needs to be an additional provision for these.

Mr. Battle said the smaller applications are exempt from Code regulations.

1st Vice-Chair Trahan asked if there is a percentage of a roof that can be covered in solar panels or can an unlimited number of solar panels be placed on a roof.

Mr. Battle said the current ordinance has a percentage, but it would now depend on the building and fire codes, which have certain distance requirements. This will limit the percentage of a roof that can be covered.

1st Vice-Chair Trahan said one of the pictures presented showed an "A" frame roof with the shingles facing both sides, and asked if this is counted as "front facing."

Mr. Battle said every roof is different. There is a system in place where every roof is evaluated on a caseby-case basis. Generally, staff makes a decision based on individual roof type.

Mr. Orr wanted to know about corner lots with a secondary street.

Mr. Battle said that a secondary street would be considered as well.

1st Vice-Chair Trahan asked about houses that have a view to a street and if those solar panels would be restricted as well.

Mr. Battle said the "front" is anything facing a "public street."

Chairman Cocking said, as an example, a house on the corner with three streets would not allow the solar panels on those three sides.

Mr. Battle said it is a challenge, but there is a question of balance between having solar panels but also ensuring aesthetics. Interpretations will have to be made for some roofs.

Commissioner Ogrizovich asked if there is an association of HOAs.

Mr. Battle said the City does not have any organized HOA associations.

Commissioner Ogrizovich asked if staff had solicited opinions from any HOA groups.

Mr. Battle said since HOAs cannot regulate solar panels, opinions were not asked.

Commissioner Mangrum commended Mr. Battle on his work.

Chairman Cocking said HOAs have self-imposed rules and regulations and are an independent body that the City is not involved in. Chairman Cocking said HOAs used to be able to control solar panels, but there was a multi-year fight with the legislature, and rules have now changed.

Chairman Cocking opened the public hearing.

Lauren Doherty, 713 Longwood Drive, Allen, Texas, addressed the commission. She said she has been in Allen for 11 years. She is an advocate of solar energy, especially roof mounted. Solar energy is an option for people to "go green" and is affordable. Due to recent technological advancements, many more requests for solar panels are now evident. She thinks Allen should encourage this technology. She pointed out that City Hall includes solar panels, and that too, which are visible from the street. Sadly, Allen enacted an ordinance four years ago that restricted solar panels from being viewed on streets. However, solar panels are not effective on all directions. This is unfair to those whose homes face south or include a street on the southern side. She said she does not understand the argument regarding aesthetics as this means thousands of dollars are potentially lost for neighbors who would want to utilize this technology. She asked the commission if they fear that the value of the community would diminish. She also wanted to know if a sample of the population could be surveyed to see what the majority thinks. She said some cities have done surveys and many people have no objections. She said that solar panels increase property taxes. Homeowners are willing to pay a premium for homes with solar panels. She said information about solar energy is found in the Department of Energy. Everyone can benefit if given the same opportunity of access, but when denied, everyone loses. NTCOG is in the process of releasing a model ordinance to recommend cities do not restrict street-facing solar panels. HOAs also cannot restrict placement. The opinion of what is "attractive" should not outweigh what is beneficial for the City

Larry Hocue, 1717 Cathedral Drive, Plano, Texas, addressed the commission. He is a board member on the Texas Solar Energy society, a non-profit organization. He is glad to see the City is making an effort to update the 2012 ordinance. He stated that the HOA legislation was passed in 2011. He stressed that the placement of solar panels is not arbitrary. Homeowners work with installers to get the maximum production. In the US, the most output is on the south. Half of the citizens would not get maximum production if this restriction is placed. This restriction will limit who can and cannot install solar panels.

Aesthetics are subjective and the visibility of solar panels is more common, so it would not be very out of character. He gave an example of how neighborhoods used to require wood shingles because asphalt was not aesthetically pleasing, but that has changed over time. Other cities have street facing restrictions and over time, removed those restrictions. Board of Adjustments override the ordinance in some cities. He also said "street facing" is arbitrary because many neighbors spend more time in the back of their house than the front. The COG has said it is hard to prove glare. The goal of solar panels is to absorb sunlight, not produce glare.

Omar Abdalla, 1113 Carson Drive, Allen, Texas, addressed the commission. He thinks of Allen as a forward-thinking City. Plano has captured Toyota and Chase and it was probably because they accepted sustainable green energy. He said the biggest concern is regarding aesthetics. He compared aesthetics to healthcare and said it did not make sense. He said a bill was recently signed where 119 European countries acknowledged global warming as an issue. Allen is a great place to start a family. He wants the commission to reconsider regulations for street-facing panels and to allow them.

James Orenstein, 1802 Rocky Creek Drive, Duncanville, Texas, addressed the commission. He has been doing volunteer work to promote solar energy, and is on the side of the citizens. He said there is a group called the North Texas Renewable Energy group which collects data on instillations with permit data from cities. Overall, in the north Texas region, the installations are almost doubling. In Allen, there is a 64% increase from 2014 to 2015. Mr. Orenstein then went over a list of cities and their ranking for solar panel installation.

Carol Hohmann, 902 Ashley Lane, Allen, Texas, addressed the commission. She has been in Allen for 17 years. She wanted to point out what Commissioner Mangrum said about upluging solar panels that might need to be unplugged. She said perhaps the ordinance needs to include language for vacant properties. Allen is known for being a "Tree City" with awards with Keep Texas Beautiful. There are more Allen residents adding solar panels, which is beneficial for energy to return to the grid. Solar panels attract homebuyers to those cities. Some homes have street facing panels as shown in some of the pictures. The City [City Hall] also has street facing solar panels. She wondered if street-facing solar panels are going to be grandfathered or if existing panels have to be removed. A home cannot be oriented a different way or moved just to get the maximum value of a solar panel installation. It is not fair to penalize people because their home faces a certain direction. She is not in favor of that piece of the ordinance. She said that the overall benefits outweigh the aesthetics as long as the panels are properly installed and maintained.

Mohamed Abdalla, 1822 Okford Court, Allen, Texas, addressed the commission. He said he moved to that location in October 2015. He installed a roof-top solar panel on his mother's roof. Plano has a four stage process with structural, electric, and building inspections. Then utility meters need to be swapped as well. Several studies show energy companies are using different energy sources for energy needs. He cares about this City. He understands the benefits solar panels bring to the City long term. Progress is very slow. The future generation, tax base, and economic development, is on the line.

Chairman Cocking closed the public hearing.

Chairman Cocking said a series of letters were received.

Commissioner Hollingsworth asked about language regarding grandfathering.

Mr. Battle said anything existing today would be considered "grandfathered" or legally non-conforming if it does not comply with the new ordinance. Most of these rules have been in place for a few years, so many items would probably not be in conflict. Mr. Battle pointed out solar panels on the City facility and said they do not directly face the street. He also clarified the variance process; a request can be submitted to the Board of Adjustment, but reinforced that the BOA has specific criteria under which they can grant variances.

2nd Vice-Chair Platt said he related to the comment about the shingles versus asphalt. He mentioned how quality of life facing a neighbor's house is not relevant. One may not like a neighbor's brick colors, but that does not mean the neighbor cannot have brick. Cell towers were also not permitted, but those are now permitted. He thinks that prohibiting certain people with solar panels due to the way their home faces is difficult. There is always room for interpretation. If solar power takes off, people that have homes facing the south may experience decreased property values. He has been in homebuilding for 23 years. Regulations always change. Allen should embrace the new and lead the way instead of follow. This regulation does seem fair - it would mean penalizing those whose homes face south.

1st Vice-Chair Trahan said technology is always changing. Someone will figure out how to make solar panels blend into the roof. The ordinance will change with it. This amendment does not prohibit anyone from putting solar panels on the roof. There are other options. In his opinion, the City is not being overly restrictive.

Commissioner Mangrum agreed with 1st Vice-Chair Trahan. The *ALDC* can always be amended in the future.

Commissioner Hollingsworth asked if there was any way to make an exception for south facing homes. He thought this would be the best of both extremes.

Mr. Battle said the intent is to mitigate visual impacts. He said to imagine a street with solar panels on both sides of the street. This might look good to some people, but would definitely have a visual impact on the neighborhood. That is the basis for the concern. If south-facing homes can have solar panels, there would be no reason to have this restriction.

1st Vice-Chair Trahan said solar panels could still be on accessory buildings.

Commissioner Orr said he is a LEED Certified Architect and is interested in anything sustainable. He understands both sides – he said this is a matter of aesthetics and functionality. There are many options to be "green," but the question here is on the direction of a house and whether one can take advantage of solar power or not.

Chairman Cocking said there was a concern that houses are being segmented on who can and cannot install solar panels, but that segmentation already occurs with electricity providers. He gave an example of Co-Op and Oncor.

 2^{nd} Vice-Chair Platt said that solar power can still be received, and it is not the City who is saying which provider to choose.

Chairman Cocking said it is the state that has defined the electricity boundaries. He also said that the state legislative only restricted HOAs, not cities, to control solar panels. Cities have the power to legislate solar panels. Chairman Cocking said one of his requirements was to buy a southern facing home understanding where technology was going. He said this truly is a question of aesthetics versus benefits. Chairman Cocking said being a Tree City is an earned recognition, but when solar cells are put in the front of a house, trees will be destroyed or cut for efficiency of solar panels. Aesthetics go further than sight – it also means considering trees and streetscapes.

2nd Vice-Chair Platt said he saw rows of solar panels on every direction in Maui.

Chairman Cocking said this is Allen. People came here because it is Allen.

Commissioner Ogrizovich said he agrees with 1st Vice-Chair Trahan that at some point in time, aesthetics would be less of a concern. He said if he took the pictures of solar panels and presented them to his neighbors, people would be upset. They would not say it is a great "benefit" for the community. He said he is on the aesthetics side.

Chairman Cocking said he is also on the aesthetics side. Technology will keep improving. Many technological advances are in the works. Technology is just not there yet although the concepts are great.

1st Vice-Chair Trahan when the City gets inquires, staff always does the research. If technology is already changing, more changes will come before this becomes a big issue.

Commissioner Mangrum said Allen is a leader, not a follower.

Motion: Upon a motion by Commissioner Mangrum, and a second by Commissioner Ogrizovich, the Commission voted 5 IN FAVOR, and 2 OPPOSED (Commissioners Platt and Orr) to recommend approval of the proposed amendments to the Allen Land Development Code.

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

The meeting adjourned at 8:25 p.m.

These minutes approved this _____day of _____2016.

Jeff Cocking, Chairman

Madhuri Kulkarni, AICP, Senior Planner

Director's Report from 7/26/2016 City Council Meeting

• There were no items taken to the July 26, 2016, City Council Meeting.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:	August 16, 2016
SUBJECT:	Capital Improvement Program (CIP) Status Report
STAFF RESOURCE:	Chris Flanigan, PE Director of Engineering
PREVIOUS COMMISSION/COUNCIL ACTION:	None.
LEGAL NOTICES:	None.
ANTICIPATED COUNCIL DATE:	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 July, 2016 CIP Map through August, 2016

		ENGINEERING CIP	SNI	CIP REPORT - THROUGH JULY 2016	
		PROJECT		STATUS / COMMENTS	CONST. DATES
LIES		Fire Station 2 Reconstruction	PS1303	Move-in date planned for Thursday, September 8th. IT under contract with fiber and data cabling; walls painted; furniture ordered; final interior sign package approved; landscape and irrigation plans being reviewed by City; the pre-cast fence along south end of the property is being installed.	Complete Sept 2016
FACILI	2	Library Chiller	PS1601	The new chiller is installed. Staff is working with EEC Enviro Service Co and the Mechanical Consultant to resolve a few existing issues with bypass valves in the original plumbing.	Substantially Complete
	3	PD Server Room HVAC	PS1602	A new (redundant) 5-ton split system unit was specified for the PD Server Room. Install scheduled to be complete by August 12th.	Complete Aug 2016
	4	2015 Intersection Improvements	ST1504	City has sent letters to property owners and is currently negotiating with owners	TBD
١٨	വ	2015/2016 Street and Alley Repair	ST1502	Annual repair/replacement of street and alley pavement in various locations. Included in this project is approx. 14,021 square yards of street and 1,238 square yards of alley pavement.	Complete Oct. 2016
LIO	9	Alma Drive Improvements (Hedgcoxe-SH121)	ST1503	Paving lanes within median to have six continuous lanes from Hedgcoxe to SH 121. Award for Phase 1 (Exchange intersection) was April 12, 2016 with completion anticipated in September.	Ph 1 Complete Sept. 2016
	2	Ridgeview Drive (Watters - US75)	ST1202	No formal construction schedule. Awaiting development trends in this area.	TBD
SQAOF	00	FM 2551 (Main St - Parker Rd)	ST0316	Design of widening to six lanes being managed by Collin County. Resolution of support passed by City May 24, 2016.	End of 2018
ł	6	Ridgeview / US 75 Overpass	TXDOT	TxDOT is hiring an engineer to design the reconstruction of the overpass. The goal is to be complete with construction by the end of 2019.	Complete End of 2019
OTHERS	9	Stacy Road, Ph 2 (Greenville - FM 1378)	ST0704 NTMWD	TxDOT contractor has begun Phase 1, which includes constructing the Northern half of the road.	Complete Jan. 2018
	7	Watters / Bray Central Street Lights	JBGL	Contractor is currently installing street lights along Watters Road	Complete Aug. 2016
	12	US 75 Widening	TXDOT	Addition of 2 general purpose lanes, selected ramp reversals, and intersection improvements.	Complete March 2017
SƏILI	13	Fountain Park Water/SS Rehab, Ph 2	WA1403	SYB is about 80% complete with the sanitary sewer work and will begin the waterline work in the coming weeks.	Complete Jul. 2017
חדורו	14	SCADA System Upgrade	WA1402	Project was awarded to WHECO Controls on February 23, 2016. Computer equipment has been ordered and the contractor is assembling the hardware and software.	Complete Sept. 2016
отнек	15	Olson & Beverly Elementary Sidewalk Improvements	ST1501	TxDOT LPAFA signed and returned by the City. Construction anticipated to begin in Fall 2016.	Complete Winter 2016
		CONSTRUCTION	DESIGN	IN DESIGN (BY OTHERS) CONSTRUCTION (BY OTHERS)	URE

ENGINEERING CIP MONTHLY REPORT



PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE:	August 16, 2016
SUBJECT:	Conduct a Public Hearing and consider a request for a Specific Use Permit for a Minor Automotive Repair use for Lots 1 and 2, Block A, Harley-Davidson Allen Addition; generally located north of Motorsport Court and west of US Highway 75. (5/18/16-41) [Discount Tire]
STAFF RESOURCE:	Madhuri Kulkarni, AICP Senior Planner
PREVIOUS COMMISSION/COUNCIL ACTION:	Planned Development PD No. 55 Adopted – March, 1994 Planned Development PD No.55 Amended – February, 1998 Specific Use Permit Approved – August, 1998 Final Plat Approved – December, 1998 Planned Development PD No. 55 Amended – August, 2013
LEGAL NOTICES:	Public Hearing Sign Installed – August 5, 2016 Public Hearing Letters Mailed – August 5, 2016
ANTICIPATED CITY COUNCIL DATE:	September 13, 2016

BACKGROUND

The property is generally located north of Motorsport Court and west of US Highway 75, and is zoned Planned Development PD No. 55 Commercial/Office C/O. The properties to the north and south are zoned Planned Development PD No. 55 Commercial/Office C/O. The property to the west is zoned Agriculture Open Space AO and Planned Development PD No. 55 Commercial/Office C/O. The properties to the east (across US Highway 75), are zoned Shopping Center SC and Light Industrial LI.

The applicant is requesting a Specific Use Permit (SUP) for a Minor Automotive Repair use. The Planned Development ordinance requires an Automotive Repair use to receive a Specific Use Permit (SUP) to locate within this zoning district.

The property is the current lot of the existing Harley Davidson building as well as the vacant lot to the south. The property will be replated to include both lots, totaling a net area of $2.32\pm$ acres for a Discount Tire. The SUP Site Plan shows the existing 24,333 square foot building for office, retail, and minor automotive repair uses. The two proposed service bay doors will face the southern end of the building, and will be screened by an eight foot (8') masonry screening wall on the eastern side.

There are three (3) access points into the site; one (1) existing access points to the north through a Fire Lane, Access, and Utility Easement, one (1) existing access point to the east on US Highway 75, and one (1) proposed access point to the south on Motorsport Court.

Parking and open space requirements exceed *ALDC* standards. Right-of-way on US Highway 75 will be dedicated. The existing 5' sidewalk on the northern portion of the site will continue to the south along US 75. A 4' sidewalk is also proposed along Motorsport Court.

Planning & Zoning Commission August 16, 2016 Discount Tire Page 2

The existing building is (2) stories with a maximum building height of 31'. The building is constructed of brick, E.I.F.S, metal, and glass. Additional arch elements have been added to the north and west elevation of the existing building.

The Specific Use Permit request has been reviewed by the Technical Review Committee and meets the standards of the *ALDC*.

STAFF RECOMMENDATION

Staff recommends approval.

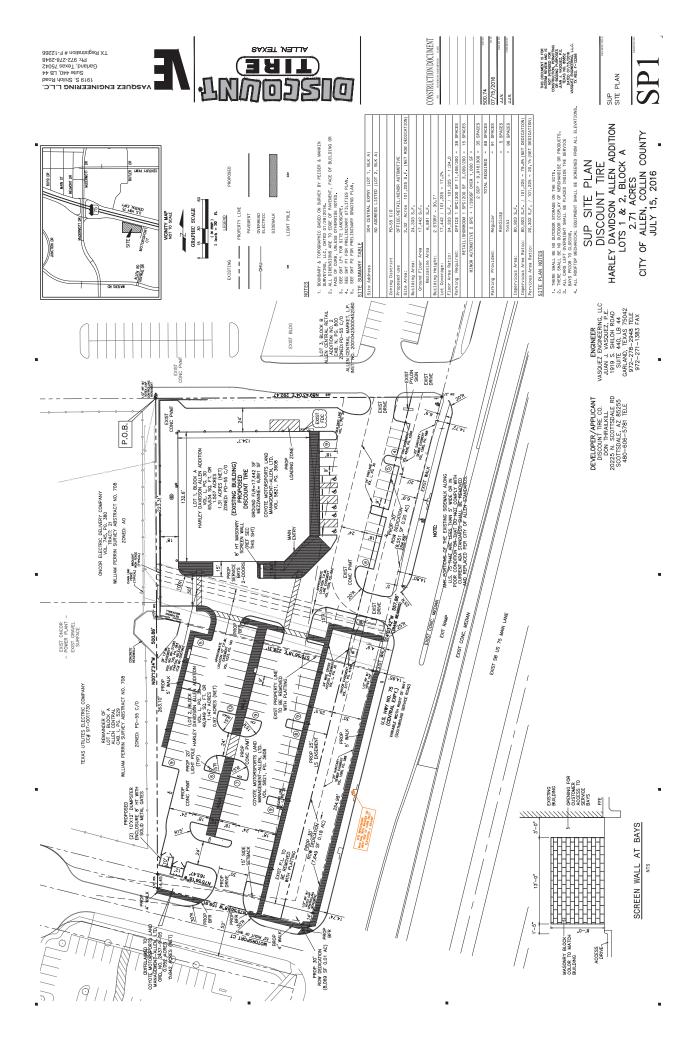
MOTION

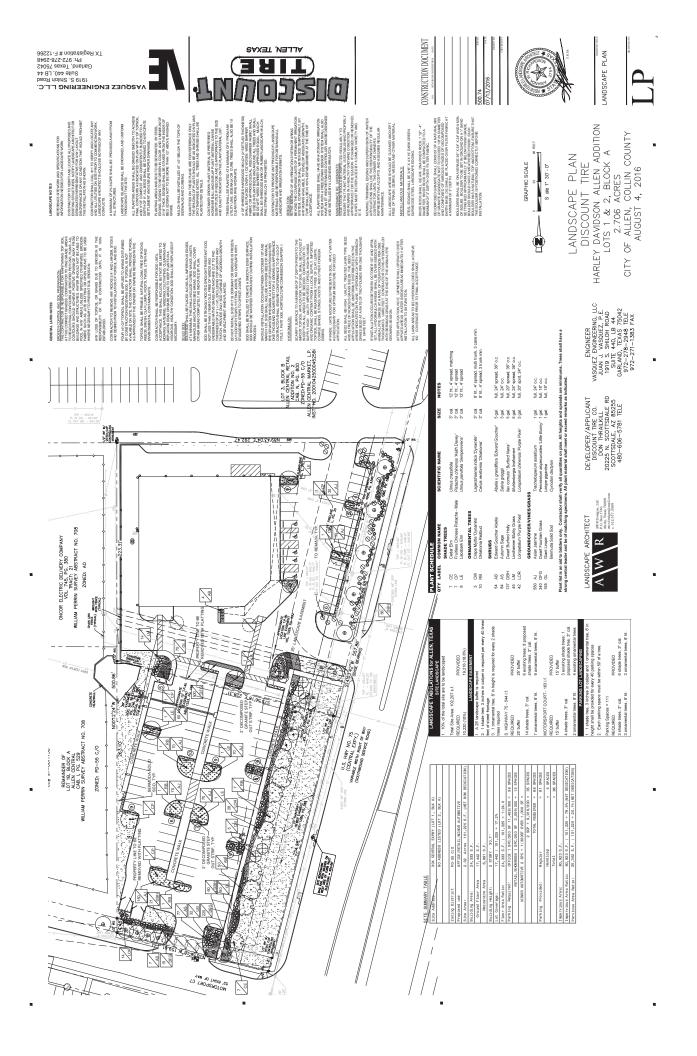
I make a motion to recommend approval of the request for a Specific Use Permit SUP for Lots 1 and 2, Block A, Harley-Davidson Allen Addition; generally located north of Motorsport Court and west of US Highway 75, for Discount Tire.

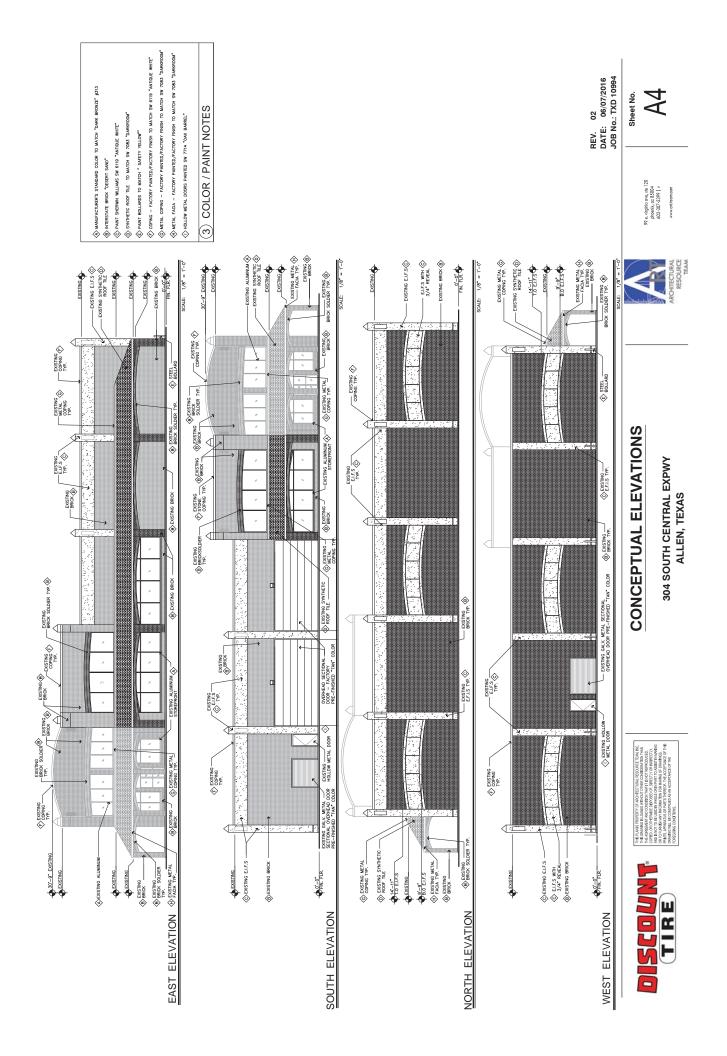
ATTACHMENTS

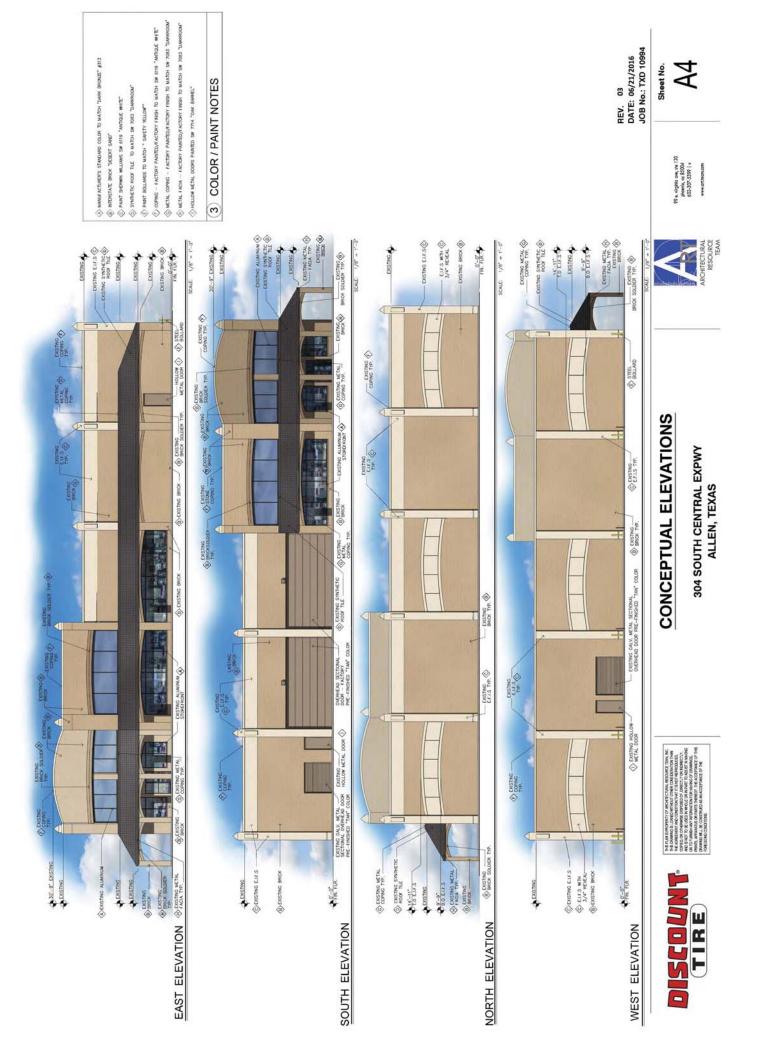
Property Notification Map SUP Site Plan SUP Landscape Plan Black and White and Color Elevations











PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE:	August 16, 2016
SUBJECT:	Conduct a Public Hearing and consider a request to amend the development regulations and adopt a Concept Plan and Building Elevations relating to a $29.001\pm$ acre portion of Planned Development PD No. 76 located in the T.G. Kennedy Survey, Abstract No. 500; generally located on the southeast corner of the intersection of Bethany Drive and Montgomery Boulevard. (4/12/16-28) [Angel Field East]
STAFF RESOURCE:	Madhuri Kulkarni, AICP Senior Planner
PREVIOUS COMMISSION/COUNCIL ACTION:	Planned Development No. 76 Adopted – October, 1998 Planned Development No. 76 Amended – June, 2004
LEGAL NOTICES:	Public Hearing Sign Installed – August 5, 2016 Public Hearing Letters Mailed – August 5, 2016
ANTICIPATED CITY COUNCIL DATE:	September 13, 2016

BACKGROUND

The property is generally located on the southeast corner of the intersection of Bethany Drive and Montgomery Boulevard. The property to the east is zoned Planned Development PD No. 99 Mixed Use MIX. The property to the south is zoned Planned Development PD No. 121 for Single-Family Residential R-7, Multi-Family Residential MF-18, and Corridor Commercial CC. The property to the west (across Montgomery Boulevard) is zoned Planned Development PD No. 105 Single-Family Residential R-5. The properties to the north (across Bethany Drive), are zoned Planned Development PD No. 26 Single Family SF and Planned Development PD No. 55 Community Facilities CF.

The property is currently zoned Planned Development PD No. 76 Local Retail LR and Planned Development PD No. 76 Towmhome TH. The applicant is requesting to amend the base zoning to Single-Family Residential R-7. The PD amendment request includes a Concept Plan, Building Elevations, and Development Regulations to establish design standards for a new residential community. This residential community will offer two types of lot sizes and strategically located community reserve areas.

The proposed residential development is approximately $29.001\pm$ acres. The Concept Plan shows a total of $131\pm$ front and rear entry lots with two product types. Approximately 54 units (41% of the total lots) will be Product Type A, which are 55'X130' (or 55'X110' for cul-de-sac or knuckle lots) front-entry lots. Approximately 77 units (59% of the total lots) will be Product Type B, which are 31'X105' rear-entry lots. The minimum dwelling unit size for both lot types will be 1,800 square feet. The maximum gross density is 4.6 units/acre. There are two (2) access points into the development; both on Montgomery Boulevard.

The plan also shows approximately $6.05\pm$ acres of open space labeled as Community Reserve Areas which is provided throughout the development; this exceeds *ALDC* requirements. A 10' Hike and Bike trail is proposed along Bethany Drive on the northern side of the property. This trail continues from Angel Field West (on the west) and connects to the existing Hike and Bike trail along Watters Branch (on the east).

Planning & Zoning Commission August 16, 2016 Angel Field East Page 2

Screening for the property will consist of eight foot (8') masonry screening wall along Bethany Drive, Montgomery Boulevard (except for the Community Reserve Area), and along the southern property boundary. An eight foot (8') Tube Steel or Wrought-Iron fence will be provided along the Community Reserve Area on Montgomery Boulevard. A six foot (6') Tube Steel or Wrought-Iron fence will be provided along the lots that directly abut the Community Reserve Area on the eastern side of the property.

Various building elevations will be incorporated in the development. The primary building materials for both product types are brick, stone, and stucco, with the roof materials consisting of asphalt shingles, tile, and standing seam metal roof. For Product Type B, no more than 40% of the lots can be constructed with up to 100% siding. However, Type B lots adjacent to Bethany Drive, Montgomery Boulevard, and on end caps shall be 100% masonry.

The attached development regulations include elevation standards, lot design criteria and setbacks, screening, thoroughfare and street requirements, street lighting, and flexible design standards.

The request has been reviewed by the Technical Review Committee.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to recommend approval of a request to amend the development regulations and adopt a Concept Plan and Building Elevations relating to a 29.001± acre portion of Planned Development PD No. 76 located in the T.G. Kennedy Survey, Abstract No. 500; generally located on the southeast corner of the intersection of Bethany Drive and Montgomery Boulevard, for Angel Field East.

ATTACHMENTS

Property Notification Map Development Regulations Concept Plan Building Elevations





Property Ownership Notification Angel Field East

Map Legend

200' Notification Buffer

\checkmark	Railroad	

Public Rezone

CollinCAD Parcels

250 500 750 ۱A F Feet S

Coumminity Deveopmentt - GIS Date Saved: 7/21/2016

 Θ ATTE

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 ANGEL FIELD EAST

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 Single Family Residential District (R-7) except as otherwise provided in this Ordinance.
- **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 plat approval.
- **C. BUILDING ELEVATIONS**: Buildings to be constructed on the Property shall be developed in general conformance with the materials and architectural style set forth on the Building Elevations attached hereto as Exhibit "B", and incorporated herein by reference, and shall be further subject to the following.
 - (1) The maximum height shall be two and one-half (2.5) stories, but in no case exceeding thirty-five (35) feet.
 - (2) All Type A lots will be front-entry; all Type B lots will be alley-loaded
 - (3) Building Materials:
 - a. Type A: Type A lots shall meet the masonry and siding requirements of the ALDC
 - b. Type B: No more than 40% of Type B lots may be constructed with residential units having up to 100% siding (limited to Hardie board or fiber cement equivalent). Residential units constructed on Type B lots adjacent to Bethany Drive, Montgomery Boulevard, and on end caps shall be 100% masonry on all four elevations of the unit.

D. LOT DESIGN CRITERIA AND BUILDING SETBACKS:

- (1) Minimum Dwelling Unit Size: 1,800 square feet
- (2) Maximum Gross Density: 4.6
- (3) Maximum Lot Coverage: 65%
- (4) The minimum lot dimensions and building setbacks for the lot types shown on the Concept Plan shall be as follows:

(a) <u>Type A Lots:</u>

Minimum Lot Width	55 feet	
Minimum Lot Depth	130 feet; 110 feet (see note 8)	
Minimum Front Setback	15 feet	
Minimum Rear Setback	15 feet	
Minimum Side Setback	Three (3) feet for one side yard and seven (7) feet for the other side yard on the same lot; provided, however, (i) the total setback on adjacent side yards shall be not less than ten (10) feet so there is always not less than ten (10) foot required building separation established by adjacent side yard setbacks and (ii) the side yard of the lot to be set with the three (3) foot side yard shall be determined and fixed by a note on the final plat; or five (5) feet for one side yard on the same lot	

(b) <u>Type B Lots</u>:

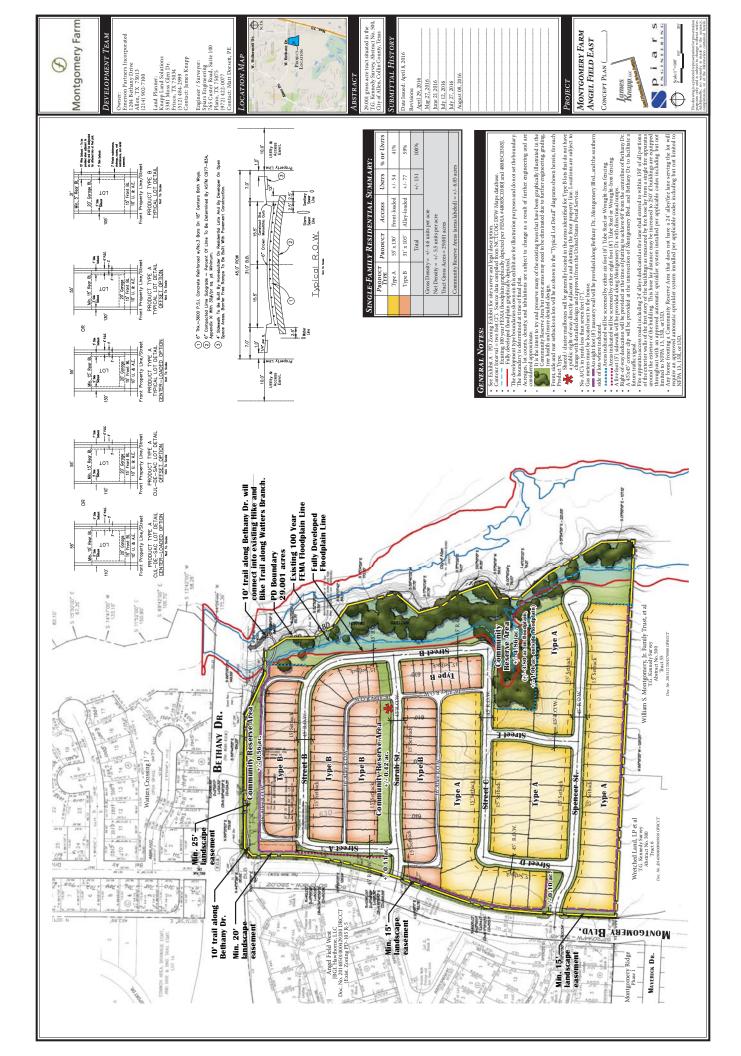
Minimum Lot Width	31 feet
Minimum Lot Depth	105 feet
Minimum Front Setback	15 feet
Minimum Rear Setback	5 feet
Minimum Side Setback	3 feet
(if side yard not adjacent to street)	
Minimum Side Setback	10 feet
(if side yard adjacent to street)	

- (5) The face of the exterior garage wall for all rear entry garages must be setback not less than twenty (20) feet from the rear lot line.
- (6) The face of the exterior garage wall for all front entry garages shall be setback not less than the greater of (i) twenty (20) feet from the front lot line and (ii) twenty (20) feet from the closest edge of the sidewalk constructed in the front yard.
- (7) Front Porches of residential units constructed on Type B lots shall be allowed to encroach up to five feet (5') beyond the front setback, but shall not encroach into the ten foot (10') Utility and Access easement to be dedicated along the street right-of-way. Front porches of residential units constructed on Type B lots shall be allowed to encroach up to ten feet (10') beyond the front setback if no utility and access easement exists on the front of the Property.
- (8) Minimum lot depth for Type A lots on a cul-de-sac or knuckle may be reduced to 110 feet.
- **E. SCREENING:** Screening shall be constructed and/or installed along the boundaries of the Property in general conformance with the Concept Plan attached hereto as Exhibit "A."

- **F. FLOODPLAIN RECLAMATION:** The lot layout and developable area is contingent upon the developer proving that the floodplain reconfiguration complies with the City's policy of prohibiting adverse impact to the floodplain through a rise or increase in velocity and/or a decrease in valley storage within the floodplain area and/or a rise in the 100-yr fully urbanized water surface elevation.
- G. THOROUGHFARES AND STREETS: All internal street rights-of-ways shall be a minimum width of forty-five (45) feet.
- **H. STREET LIGHTING:** LED luminaries may be used as street lighting within the neighborhood sections; provided, however, such LED luminaries shall not be installed unless and until the owner, Homeowners' Association (HOA), and Master Maintenance Organization (MMO) have entered an agreement with the City relating to the maintenance, repair, and replacement of non-standard street lighting by the HOA and/or the MMO. The exact locations shall be determined at the time of civil engineering plan preparation and review.
- I. FLEXIBLE DESIGN STANDARDS: The City's Director of Community Development, Director of Engineering, Director of Parks and Recreation, Chief Building Official, and/or Fire Chief, as the case may be, shall have the authority, but not the obligation, to approve a request to modify the development regulations identified in Table 1 below subject to the criteria and limitations set forth in Table 1 to the extent such regulations apply to the Property:

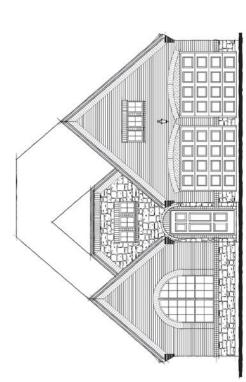
	Table 1: Flexible Design Standards			
C	ode Standard	Extent of Administrative Modification Permitted	Criteria	Administrator of Modification
1.	Concept Plan	Мар		
a.	Location of any Required Street	Location may be shifted no more than 60 feet in any direction	 Must maintain the connectivity intended by the Concept Plan Must maintain the continuation and/or connectivity with any existing streets where possible 	Director of Community Development, Director of Engineering and the Building Official.
b.	Area of any Required Open Space/ Parkland	Each required Open Space or Parkland area may be reduced by no more than 10% of the area shown on the Concept Plan	 i. Shall maintain the frontages required by the Concept Plan ii. Area may be adjusted to accommodate shifting of any new required Streets only 	Director of Community Development, Director of Engineering, the Building Official and the Director of Parks and Recreation.
2.	Development S	Standards		
a.	Driveways	Driveways may be allowed to be closer than the 10-foot minimum spacing in order to reduce curb cuts and expand front yard space.	Driveways may abut other driveways or the property line provided both driveways meet the minimum driveway width and drainage requirements.	Director of Community Development, Director of Engineering, and the Building Official.
b.	Lot Size	Lot sizes may be reduced by up to 5% of the size originally shown on the Concept Plan and reconfigured as necessary to conform with City ordinance requirements.	Lots can be reconfigured to address compliance requirements of applicable City ordinances (i.e. setbacks, drainage needs, etc.).	Director of Community Development, Director of Engineering and the Building Official.
c.	Measurement of minimum lot widths of cul-de-sac lots	Adjustments can be made to the requirements that the minimum lot width is measured at the front yard setback line for lots located on cul-de-sac's radius.	The point of measurement for determining compliance with minimum lot width requirements may be relocated as necessary to accommodate a unique configuration of cul-de-sac lots by measuring a line the ends of which shall be located at the "midpoint" of the two side lot lines which intersect the front lot line	Director of Community Development, Director of Engineering and the Building Official.

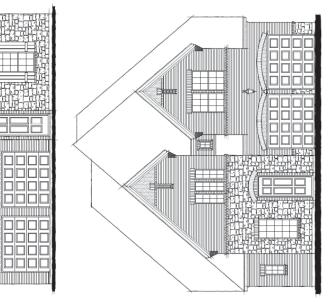
			Director of
		Elevations can be	Community
	Minor adjustments can be	modified as long as	Development,
d. Elevations	made to the elevations	compliance with	Director of
u. Elevations	submitted with zoning	applicable City ordinances	Engineering and
		is maintained.	the Building
			Official.



A 9qvT – zelqmex3 noitevel3 tol ebiW '22

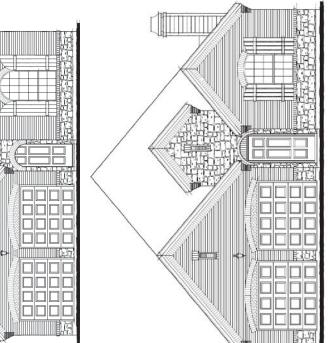


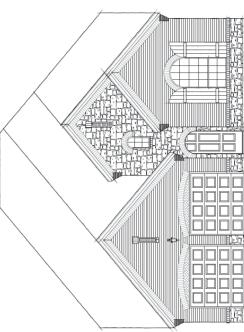


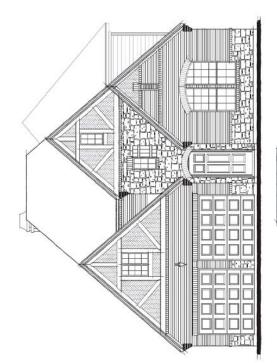


Roof Materials: Asphalt Shingles, Standing Seam Metal, Tile Primary Façade Materials: Brick, Stone, Stucco

Primary Façade Materials: Brick, Stone, Stucco Roof Materials: Asphalt Shingles, Standing Seam Metal, Tile









A 9qvT – zelqmsx3 noitevel3 tol ebiW '22

A 9qvT – zelqmex3 noitevel3 tol ebiW '22





Primary Façade Materials: Brick, Stone, Stucco Roof Materials: Asphalt Shingles, Standing Seam Metal, Tile

A 9qvT – 29geml 9lqmex3 noitev9l3 tol 9biW '22



Primary Façade Materials: Brick, Stone, Stucco Roof Materials: Asphalt Shingles, Standing Seam Metal, Tile



31' Wide Lot Elevation Examples – Type B

fiber cement equivalent). However, lots adjacent to Bethany Drive, Montgomery Blvd., and on end caps shall meet the masonry and siding requirements of the ALDC. Roof Materials: Asphalt Shingles, Standing Seam Metal, Tile



requirements of the ALDC. Roof Materials: Asphalt Shingles, Standing Seam Metal, Tile

Primary Façade Materials: Brick, Stone, Stucco, Siding. A maximum of 40% of the lots may have up to 100% siding (limited to hardie board or fiber cement equivalent). However, lots adjacent to Bethany Drive, Montgomery Blvd., and on end caps shall meet the masonry and siding



31' Wide Lot Elevation Example Images – Type B







Primary Façade Materials: Brick, Stone, Stucco, Siding. A maximum of 40% of the lots may have up to 100% siding (limited to hardie board or fiber cement equivalent). However, lots adjacent to Bethany Drive, Montgomery Blvd., and on end caps shall meet the masonry and siding requirements of the ALDC. Roof Materials: Asphalt Shingles, Standing Seam Metal, Tile

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:	August 16, 2016
SUBJECT:	Public Hearing – Conduct a Public Hearing and consider a request to amend the development regulations and adopt a Concept Plan and Building Elevations relating to a $13.605\pm$ acre portion of Planned Development PD No. 92 located in the F. Dosser Survey, Abstract No. 280; generally located north of Stacy Road and west of Chelsea Boulevard. (Z-5/3/16-36) [Garage Condos and Self-Storage]
STAFF RESOURCE:	Madhuri Kulkarni, AICP Senior Planner
PREVIOUS COMMISSION/COUNCIL ACTION:	Planned Development No. 92 Approved – March, 2004 Planned Development No. 92 Amended – December, 2004 Planned Development No. 92 Amended – February, 2012 Planned Development No. 92 Amended – September, 2015
LEGAL NOTICES:	Public Hearing Sign Installed – August 5, 2016 Public Hearing Notices Mailed – August 5, 2016
ANTICIPATED COUNCIL DATE:	September 13, 2016

BACKGROUND

The property is located north of Stacy Road and west of Chelsea Boulevard. The property to the north is zoned Planned Development PD No. 92 Single-Family Residential R-7. The property to the west is zoned Planned Development PD No. 92 Single-Family Residential R-7 and Planned Development PD No. 92 Single-Family Residential R-7 and Planned Development PD No. 92 Single-Family Residential R-7. The property is zoned Planned Development PD No. 45 Corridor Commercial CC. The property to the east (across Chelsea Boulevard) is zoned Planned Development PD No. 78 Corridor Commercial CC and Planned Development PD No. 102 Corridor Commercial CC.

The applicant is proposing to develop the $13.605\pm$ acre tract for a mini-warehouse/public storage facility and garage condos. The property will be divided into three lots; Lot 3 for a future restaurant use, Lot 4 for the mini-warehouse/public storage facility, and Lot 5 for the garage condos. The property is zoned Planned Development PD No. 92 Shopping Center SC. The applicant is proposing to amend the Development Regulations, and adopt a Concept Plan and Building Elevations for the property.

The two proposed mini-warehouse/public storage buildings on Lot 4 total approximately 93,700 square feet, with 1,050 square feet dedicated for office use. These buildings will primarily be one story, except for a portion of Building A, which will be two story with a maximum height of 30'. The five proposed buildings for garage condos on Lot 5 total approximately 373,514 square feet. The garage condo buildings will be one story with a maximum height of 25'.

Parking and landscaping provided exceeds ALDC requirements.

Screening for the property will consist of an eight foot (8') tubular steel fence on the western side of Lot 4. Screening will consist of altering panels of eight foot (8') masonry screening wall and eight foot (8') tubular steel fence with enhanced landscaping on the western side of Lot 5 along the 24' Firelane. Additionally, a six foot (6') masonry screening wall exists along the western property line. Screening on the eastern side of Lot 4 will be provided through the side of the buildings and an eight foot (8') wrought iron fence with opaque gates. Planning & Zoning Commission August 16, 2016 Garage Condos and Self-Storage Page 2

Screening on the eastern side of Lot 5 is also provided through the side of the buildings and an eight foot (8') wrought iron fence with opaque gates, in addition to an eight foot (8') masonry screening wall.

There are a total of six (6) access points into the development; three (3) access points on Chelsea Boulevard (one existing and two proposed), two (2) existing access points from the southern properties through firelane and access easements, and one (1) existing access point on Stacy Road. Left turn lanes will also be constructed on Chelsea Boulevard.

The attached building elevations show brick, split-face CMU, metal, and glass as the primary exterior building materials with standing seam metal roofing.

The attached development regulations include language regarding the additional permitted uses, definition of garage condos, screening, street improvements, hours of operation, auctions, and other special zoning provisions.

The PD Amendment 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 the development regulations and adopt a Concept Plan and Building Elevations relating to a 13.605± acre portion of Planned Development PD No. 92 located in the F. Dosser Survey, Abstract No. 280; generally located north of Stacy Road and west of Chelsea Boulevard.

ATTACHMENTS

Property Notification Map Development Regulations Concept Plan Screening Plan Black and White and Color Elevations



DRAFT OF PROPOSED DEVELOPMENT REGULATIONS FOR GARAGE CONDOS AND SELF-STORAGE

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. ADDITIONAL PERMITTED USES: In addition to the uses permitted within PD-58, the Property may be used and developed for mini-warehouse/public storage and garage condo purposes.
- **B. GARAGE CONDO DEFINED:** "Garage Condo" means a structure used solely for storage of personal property which can be defined as a "condominium" as set forth in Texas Property Code §82.003(a)(8), as amended and subject to a declaration of condominium that complies with Chapter 82 of the Texas Property Code, as amended.
- **C. 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 Site Plan approval.
- **D. BUILDING ELEVATIONS**: The Property shall be developed in general conformance with the Building Elevations attached hereto as Exhibit "B", and incorporated herein by reference.
- **E. SCREENING:** Screening shall be constructed and/or installed along the boundaries of the Property in general conformance with the Concept Plan attached hereto as Exhibit "A" and the Screening Plan attached hereto as Exhibit "C", and incorporated herein by reference. No building permit shall be issued until the fence permit has been issued and screening wall construction begun. No final inspection will be conducted until the Director of Community Development or designee has determined that construction and installation of all required screening has been completed.
- **F. STREET IMPROVEMENTS**: The Developer shall construct all improvements necessary to install the left-turn lanes on Chelsea Boulevard in general conformance with the Concept Plan attached hereto as Exhibit "A". Common access will be provided on the Property for the use of property to the south to access the first full median opening located north of Stacy Road as shown on the Concept Plan. No building permit for any structure located on the Property shall be issued until completion of construction and acceptance by the City Engineer of such left turn lane.
- G. HOURS OF OPERATION: The hours of operation for the Property shall be as follows:

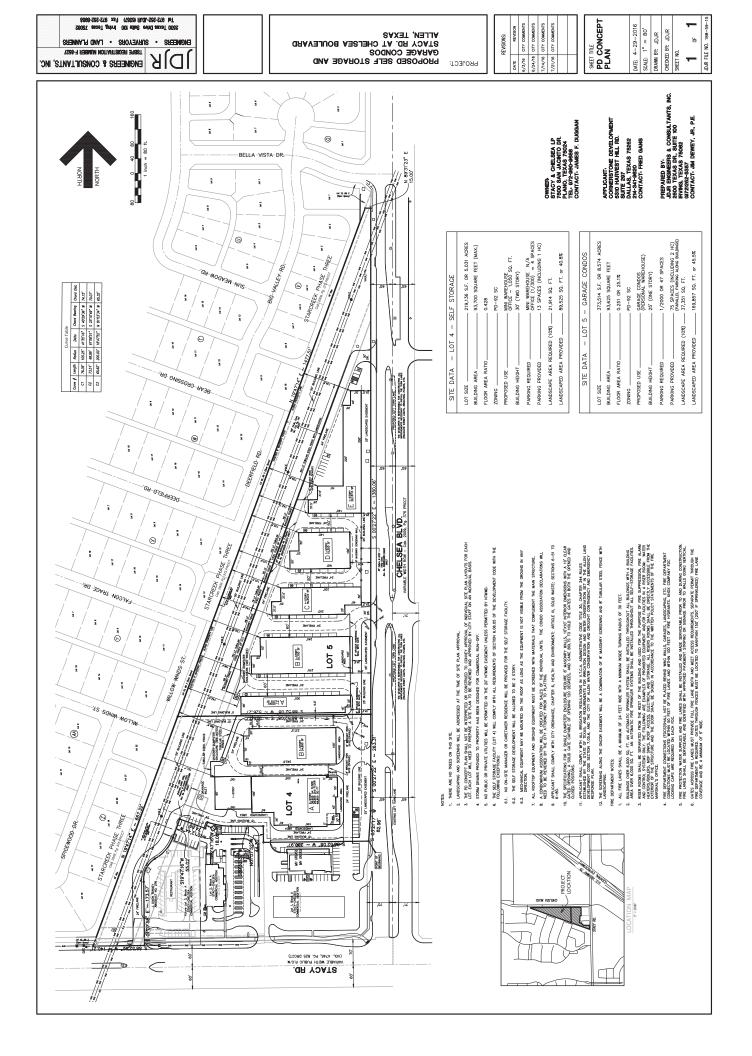
Mini-Warehouse Office:

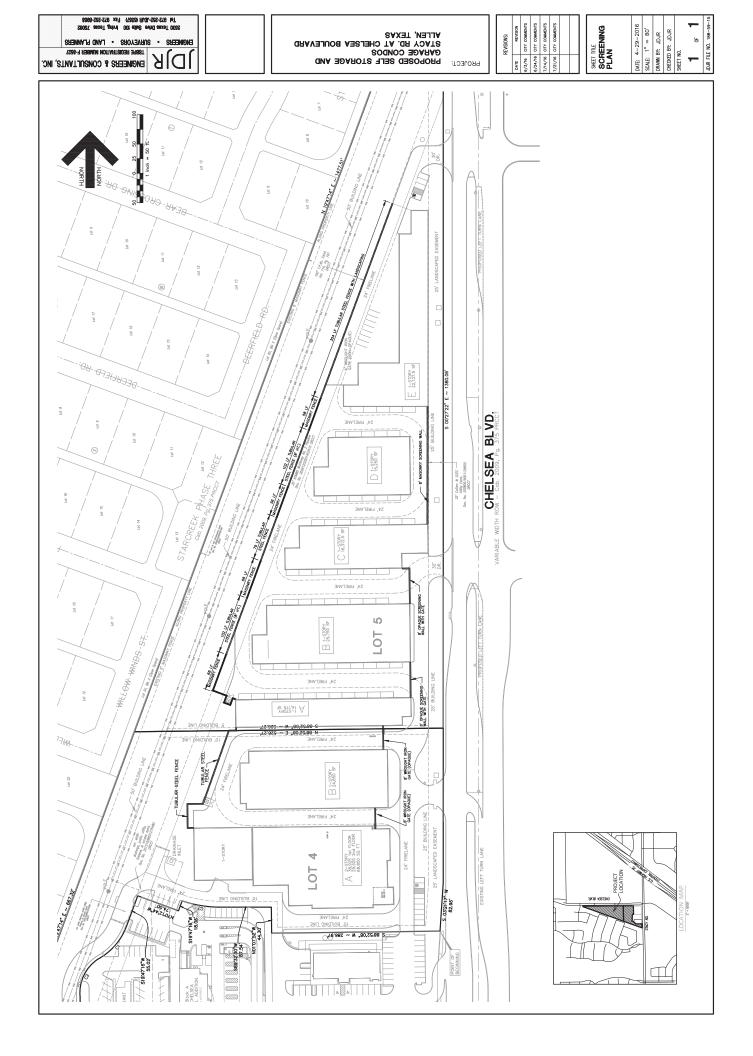
Monday – Friday	not earlier than 8:30 a.m. to not later than 6:30 p.m.
Saturday	not earlier than 8:30 a.m. to not later than 5:00 p.m.
Sunday	Closed

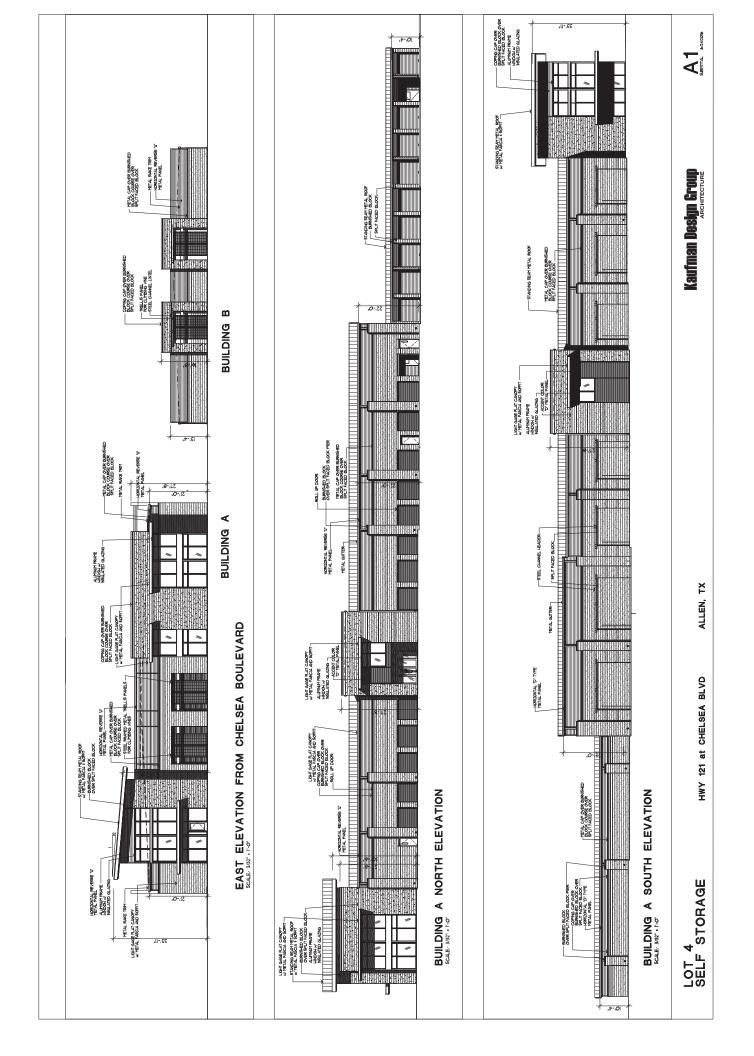
Mini-Warehouse access: not earlier than 6:00 a.m. to not later than 9:00 p.m. daily

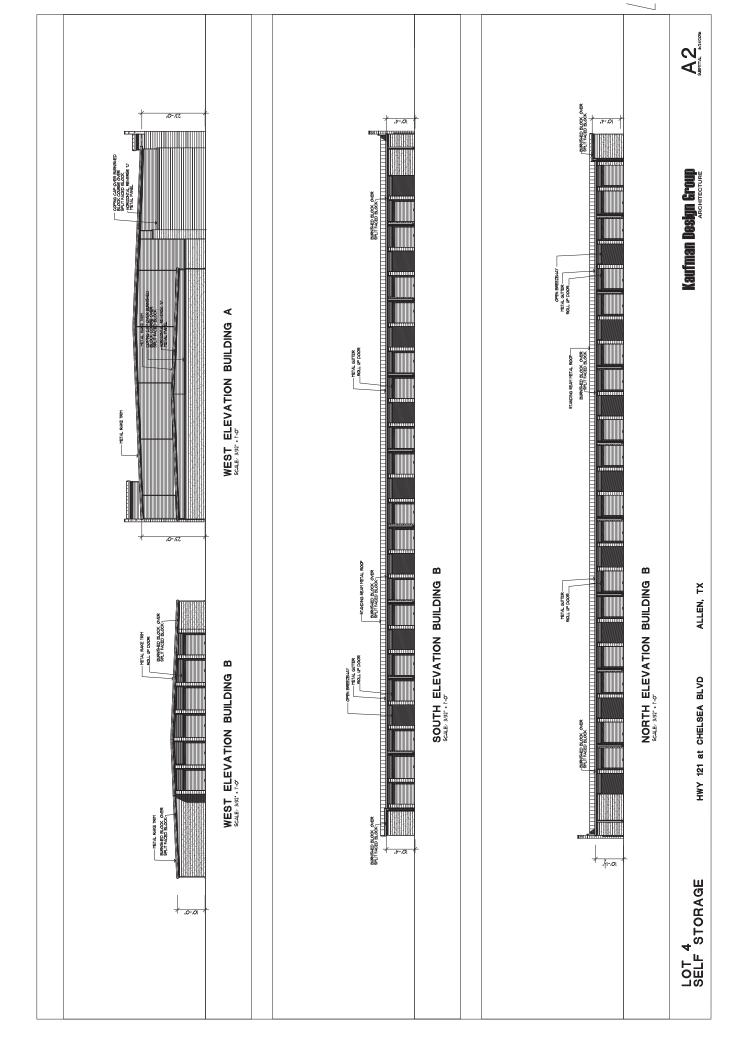
Garage Condos access: No time limitations.

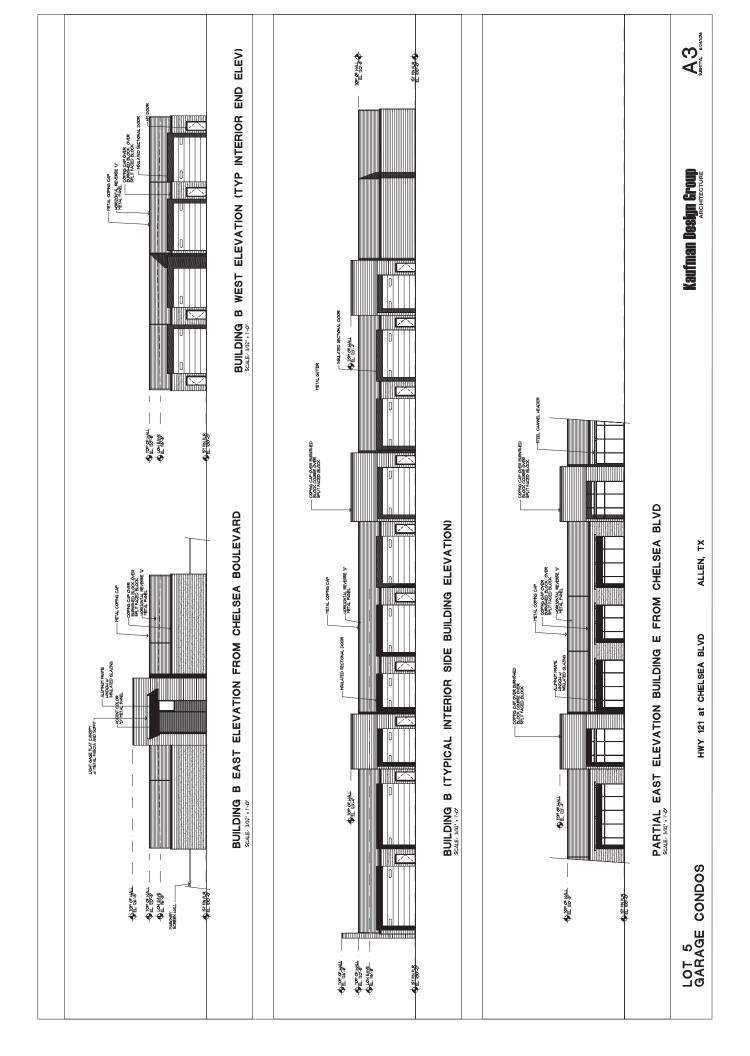
- **H. AUCTIONS:** Auctions related to the sale of private property held in storage units or garage condos for purpose of recovering unpaid units as authorized by law shall be permitted to be held two (2) times within a calendar year subject to application for and issuance of a Temporary Use/Special Event Permit.
- I. SPECIAL ZONING PROVISIONS: ALDC Section 6.06.5 "Mini-Warehouses/Public Storage" shall apply to the use and development of the mini-warehouse/public storage and garage condo business operated on the Property with the following modifications and/or additions:
 - (1) Notwithstanding ALDC Section 6.06.5.a, an on-site caretaker office and residence is not required.
 - (2) Notwithstanding ALDC Section 6.06.5.c, the storage units shall not to exceed two (2) stories, but in no case greater than thirty feet (30.0'), in height.
 - (3) Notwithstanding ALDC Section 6.06.5.d, roof-mounted mechanical equipment which is screened in a manner so that such equipment is not visible from adjacent public streets is permitted.
 - (4) The prohibition set forth in ALDC Section 6.06.5.k, regarding the conduct of sales, business or any activity other than storage within any individual storage unit or garage condo shall include, but not limited to, the conversion of any individual storage units to an office, retail, or other non-residential use, is prohibited.
 - (5) No portion of the Property may be used for residential purposes except for a residence for the owner or person employed by the owner of the mini-warehouse/public storage business or garage condos whose principal duties are to manage said business, and that person's spouse and children only.
- J. DECLARATION OF CONDOMINIUM. Development and use of the Property for Garage Condo purposes shall not commence prior to the execution and recording of a declaration of condominium in compliance with Chapter 82 of the Texas Property Code, as amended, the form of which must conform with Section 8.20 of the ALDC, as amended.



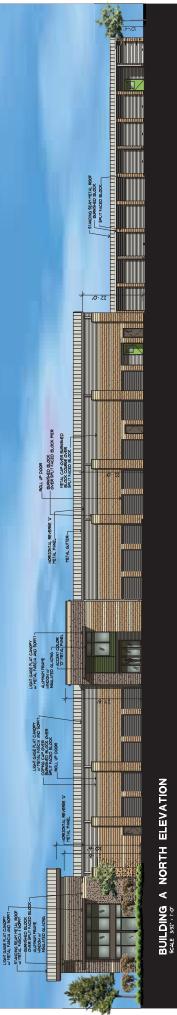


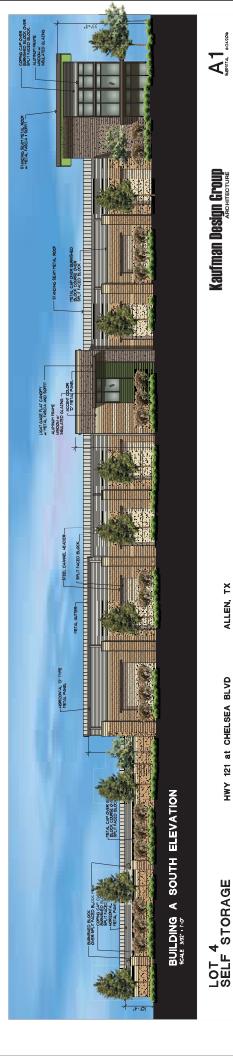






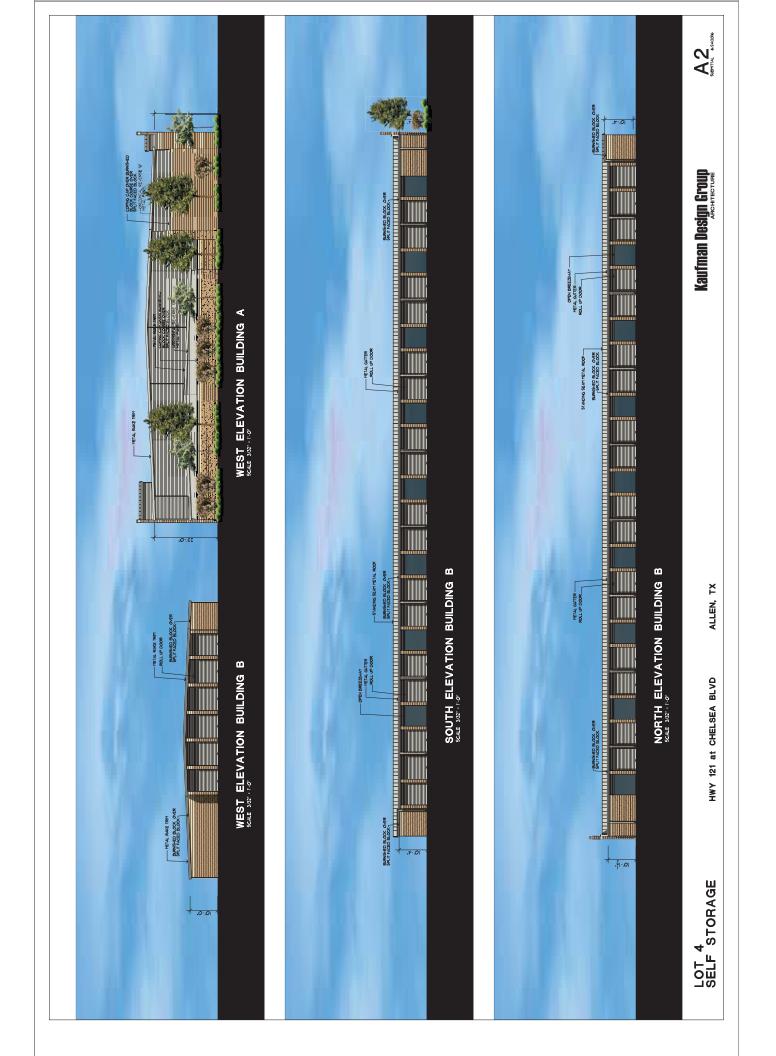


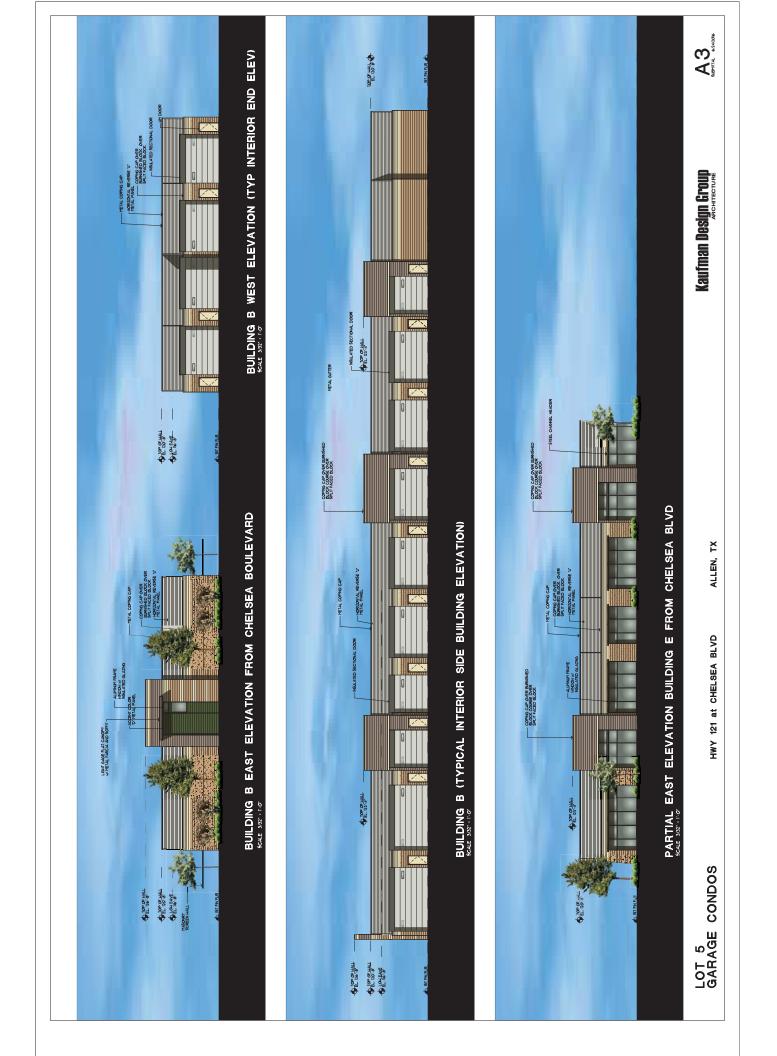




ALLEN, TX

HWY 121 at CHELSEA BLVD





PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:	August 16, 2016
SUBJECT:	2017-2021 Capital Improvement Program Presentation
STAFF RESOURCE:	Tim Porter Project Manager
	Brian Bristow, RLA Assistant Director of Parks and Recreation

PREVIOUS ACTION:

None

BACKGROUND

The Planning and Zoning Commission acts in an advisory capacity for the City Council and makes a recommendation regarding approval of the Capital Improvement Program (CIP) each year. In preparation for this recommendation, staff distributed an electronic copy of the 2017-2021 Capital Improvement Program Report on Tuesday August 2, 2016. This report is also posted online: <u>http://cityofallen.org/897/Finance</u>.

Staff will provide an overview and presentation of the 2017-2021 CIP Report at this meeting.

STAFF RECOMMENDATION

Recommend approval of the 2017-2021 CIP Report.

MOTION

I make a motion to recommend approval of the 2017-2021 Capital Improvement Program to the City Council.