



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
AUGUST 18, 2020 – 7:00 PM
CONDUCTED VIA CONFERENCE**

This City of Allen Planning and Zoning Commission meeting will be conducted with the members of the Commission and City staff participating via video conference from locations outside of City Hall.

Members of the public are entitled to participate remotely via broadcast by webinar. To speak remotely at the Planning and Zoning Commission Meeting, speakers must:

- Submit the online registration form found at: [PZ Speaker Registration](#) not later than 3 p.m. on Tuesday, August 18, 2020.
- Once the registration form is received, registered speakers will receive either an email or phone call providing the telephone number to call on the date of the meeting.
- Speakers must call not later than 6:45 p.m. on the date of the meeting in order to be allowed to speak. Late callers will not be accepted and will not be allowed to speak.
- Handouts or other information that a member of the public desires to provide to the Commission must be emailed to planningsubmittals@cityofallen.org by 3 p.m. on August 18, 2020, to ensure the information is able to be provided to the Commissioners in advance of the meeting.

The meeting will be live streamed on Allen City TV at www.cityofallen.org/982/ACTV for those wanting to watch the meeting but not address the Commission.

Call to Order and Announce a Quorum is Present

Pledge of Allegiance

Director's Report

1. Action Taken on the Planning and Zoning Commission Items by City Council at the August 11, 2020, Regular Meeting.

Consent Agenda

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

2. Approve Minutes from the August 4, 2020, Planning and Zoning Commission Regular Meeting.
3. Consider a request for a 60-day extension to file the Replat of Allen Commerce Center Addition, Lot 1R-1, Block A, Being a 12.000± Acres; Generally Located North of Allen Commerce Parkway approximately 828± Feet West of Central Expressway. (PL-052620-005) [Allen Commerce Center Addition]
4. Replat - Consider a Replat of Children's Lighthouse, Lot 1, Block A, Being 2.698± Acres; Generally Located at the Northeastern Corner of the Intersection of Main Street and Malone Road. (PL-072420-0011) [Children's Lighthouse]

Regular Agenda

5. Alternative Screening Request - Consider a Request for Alternative Screening for Cumberland Crossing, Phase V, Block A, Generally Located Directly North of Esmond Court and Approximately 44 Feet West of Prism Drive (and Commonly Known as 1524 Esmond Court). (AD-080620-0001) [1524 Esmond Court]

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 14, 2020 at 5:00P.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.

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:

August 18, 2020

SUBJECT:

Action Taken on the Planning and Zoning Commission Items by City Council at the August 11, 2020, Regular Meeting.

STAFF RESOURCE:

Marc Kurbansade, AICP
Director of Community Development

BACKGROUND

- There were no items taken to the August 11, 2020 Regular Meeting.

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:

August 18, 2020

SUBJECT:

Approve Minutes from the August 4, 2020, Planning and Zoning Commission Regular Meeting.

STAFF RESOURCE:

Rolandrea Russell
Planner

ATTACHMENTS:

Minutes from the August 4, 2020 Regular Meeting

PLANNING AND ZONING COMMISSION

REGULAR MEETING

August 4, 2020

ATTENDANCE:

Commissioners Present:

Ben Trahan, Chair
Gene Autrey
Dan Metevier
John Ogrizovich
Elias Shaikh

Commissioners Absent

Stephen Platt, Jr., 1st Vice-Chair
Michael Orr, 2nd Vice-Chair

City Staff Present:

Marc Kurbansade, AICP, Director of Community Development
Lauren Field, Deputy City Secretary
Rolandrea Russell, Planner
Kevin Bates, PE, CFM, Program Manager
Brian Bristow, RLA, Assistant Director of Parks and Recreation
Kevin Laughlin, City Attorney

Call to Order and Announce a Quorum is Present:

With a quorum of the Commissioners present, Chair Trahan called the meeting to order at 7:00 p.m. via Video Conference.

Directors Report

1. The Director of Community Development discussed the action taken on the Planning & Zoning Commission items by City Council at the July 28, 2020, 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 July 21, 2020, regular meeting.

Motion: **Upon a motion by Commissioner Metevier, and a second by Commissioner Autrey, the Commission voted 5 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.**

The motion carried.

Regular Agenda

4. Public Hearing - Conduct a Public Hearing and Consider a Request for a Specific Use Permit SUP for a Medical Clinic Use for a 3,586± Square Foot Portion of a Building Located on Lot 2, Block A of Lots 1&2, Block A, Stacy Village Addition; Generally Located North of Stacy Road and East of Watters Road (and commonly known as 940 W. Stacy Road, Suite 110). (SUP- 071720-0006) [Heal360]

Ms. Russell, Planner, presented the item to the Commission.

Ms. Russell stated that the Specific Use Permit meets the requirements of the Allen Land Development Code. She noted that staff is in support of the agenda item.

Chair Trahan opened the public hearing.

The following individuals did not speak but wished to record support of this item:

- Mohammed Mohiuddin, Applicant, 940 W. Stacy Rd., Suite 110, Allen, TX
- Katrina Ramos, Applicant, 940 W. Stacy Rd., Suite 100, Allen, TX

The following individual did not speak but wished to record her opposition to this item:

- Maria Reolada, 933 Sloan Dr., Allen, TX

With no one speaking, Chair Trahan closed the public hearing.

Motion: **Upon a motion by Commissioner Ogrizovich, and a second by Commissioner Metevier, the Commission voted 5 IN FAVOR, and 0 OPPOSED to recommend approval of the request to grant an ordinance for a Specific Use Permit for a Medical Clinic use for a portion of Lot 2, Block A of Lots 1&2, Block A, Stacy Village Addition, subject to the development regulations and SUP Site Plan as presented.**

The motion carried.

5. 2021-2025 Capital Improvement Program Presentation

Mr. Bates, Program Manager, and Mr. Bristow, Assistant Director of Parks and Recreation, presented the item to the Commission.

Motion: **Upon a motion by Commissioner Autrey, and a second by Commissioner Ogrizovich, the Commission voted 5 IN FAVOR and 0 OPPOSED to recommend approval of the 2021-2025 Capital Improvement Program, as presented.**

The motion carried.

Executive Session (As Needed)

The Executive Session was not held.

Adjournment

The meeting adjourned at 8:09 p.m.

These minutes approved this _____ day of _____ 2020.

Ben Trahan, Chair

Rolandrea Russell, Planner

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION
--

AGENDA DATE:	August 18, 2020
SUBJECT:	Consider a Request for a 60-day Extension to File the Replat of Allen Commerce Center Addition, Lot 1R-1, Block A, Being 12.000± Acres; Generally Located North of Allen Commerce Parkway approximately 828± Feet West of Central Expressway. (PL-052620-005) [Allen Commerce Center Addition]
STAFF RESOURCE:	Rolandrea Russell, Planner
PREVIOUS COMMISSION/COUNCIL ACTION:	Planned Development No. 124 - Approved October, 2016 Final Plat - Approved January, 2017 Replat - Approved June 16, 2020
LEGAL NOTICES:	None.
ANTICIPATED COUNCIL DATE:	None.

BACKGROUND

Section 8.03.4.5 of the Allen Land Development Code states that a Final Plat/Replat shall expire if not filed of record within 90 days of approval. The Planning & Zoning Commission, at its discretion, can grant an extension of time not to exceed sixty days.

The Replat for Allen Commerce Center Addition, Lot 1R-1, Block A, was approved on June 16, 2020. The approved replat will expire on September 14, 2020 if not recorded. The applicant has submitted a request for a 60-day extension of approval as the project has subsequently been put on hold. The extension of this approval will retain existing easements and fire lanes onsite until the project is ready to move forward. With this extension, the Final Plat would expire on November 13, 2020, which is 60 days from the approval expiration date of September 14, 2020.

STAFF RECOMMENDATION

Staff recommends approval of the 60-day extension of the Final Plat to November 13, 2020.

MOTION

I make a motion to approve the 60-day extension for recording the Replat for Allen Commerce Center Addition, Lot 1R-1, Block A.

ATTACHMENTS:

Allen Commerce Extension Requestion



August 3, 2020

Rolandrea Russell
City of Allen
305 Century Parkway
Allen, TX 75013

RE: Replat Extension Request – Allen Commerce Addition Lot 1R-1, Block A

Ms. Russell,

Per our conversation, construction of the Compass DFW I-II Datacenter project has been temporarily put on hold. Since the approved replat of Lot 1R-1, Block A of the Allen Commerce Addition abandons easements that are necessary for compliance of the existing building, we would like to request a 60-day extension for the recording of the Replat.

Please feel free to contact us with any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David M. Pitcher', with a stylized circular flourish at the end.

David M. Pitcher, P.E.
PROFESSIONAL ENGINEER
KFM Engineering & Design
TBPE #: F-20821

PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION
--

AGENDA DATE:	August 18, 2020
SUBJECT:	Consider a Replat of Children's Lighthouse, Lot 1, Block A, Being 2.698± Acres; Generally Located at the Northeastern Corner of the Intersection of Main Street and Malone Road. (PL-072420-0011) [Children's Lighthouse]
STAFF RESOURCE:	Hayley Angel, AICP Planner II
PREVIOUS COMMISSION/COUNCIL ACTION:	Planned Development No. 42 - Approved October, 1986 Combination Plat - Approved April, 2019
LEGAL NOTICES:	None.
ANTICIPATED COUNCIL DATE:	None.

BACKGROUND

The property is generally located at the northeastern corner of the intersection of Malone Road and Main Street. The properties to the north and east are zoned Single-Family Residential R-7. The properties to the south (across Main Street) are zoned Local Retail LR and Single-Family Residential R-4. The properties to the west (across Malone Road) are zoned Local Retail LR and Single-Family Residential R-7.

The property is currently zoned Planned Development PD No. 42 Local Retail LR. A Site Plan for the property was approved in February 2019 showing two lots. Platting is the last step in the development process.

The Replat shows two lots at a total of 2.698± acres. While the initial Combination Plat showed a single lot, the applicant is now proposing to subdivide into two lots to match the approved Site Plan. There are a total of two access points into the development--one through Malone Drive and one through Main Street. The plat also shows various easements required for development of the property.

The Replat has been reviewed by the Technical Review Committee, is generally consistent with the Site Plan, and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

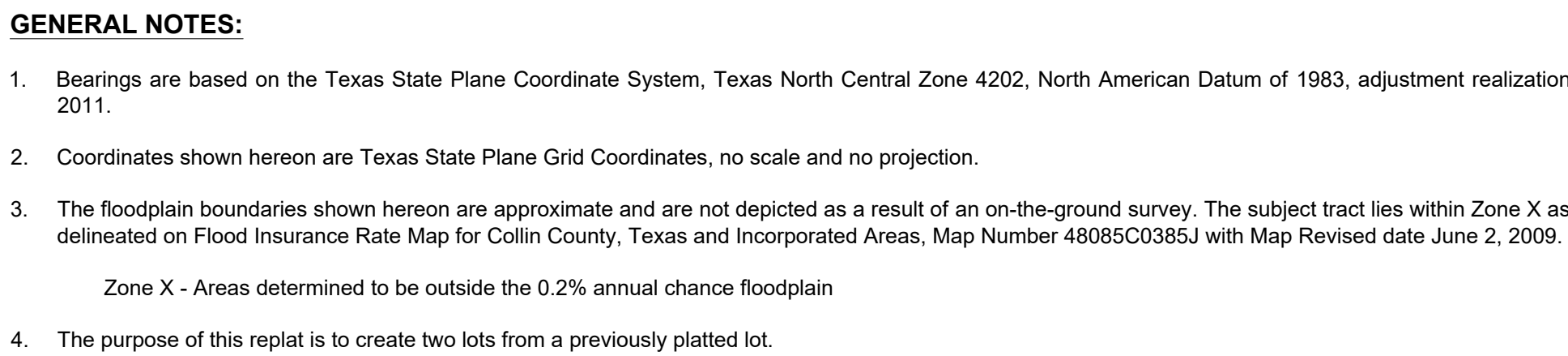
Staff recommends approval.

MOTION

I move to approve the Replat of Children's Lighthouse, Lot 1, Block A, as presented.

ATTACHMENTS:

Replat



OWNER'S CERTIFICATE

STATE OF TEXAS

COUNTY OF COLLIN

WHEREAS, 4MC Investments LLC is the owner of a 2.698 acre (117,532 square foot) tract of land situated in the Witsual Fisher Survey, Abstract No. 323, in the City of Allen, Collin County, Texas; said tract being all of Lot 1, Block A, Children's Lighthouse, an addition to the City of Allen according to the plat recroded in Cabinet 2019, Slide 296 of the Plat Records of Collin County, Texas and being part of that certain tract of land described in Special Warranty Deed with Vendor's Lien to 4MC Investments LLC as recorded in Instrument No. 20190402000347290 of the Official Public Records of Collin County, Texas; said 2.698 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING, at a 1/2-inch iron rod with "DAA" cap found for corner in the east line of Malone Road (a variable width right-of-way, 60-feet wide at this point); said point being the northwest corner of said Lot 1, Block A and the southwest corner of Lot 31, Block M, Auburn Springs Phase Three, an addition to the City of Allen according to the plat recorded in Cabinet O, Slide 131 of said plat records;

THENCE, departing the east line of said Malone Road, and with the north line of said Lot 1, Block A and the south line of said Block M, the following four (4) courses and distances:

North 89 degrees 01 minutes 58 seconds East, a distance of 215.24 feet to a 1/2-inch iron rod found for corner;

South 01 degrees 02 minutes 34 seconds East, a distance of 95.00 feet to a 5/8-inch iron rod with "BGE" yellow cap found for corner;

South 45 degrees 56 minutes 49 seconds East, a distance of 64.00 feet to a 5/8-inch iron rod with "BGE" yellow cap found for corner;

North 89 degrees 40 minutes 09 seconds East, a distance of 178.19 feet to a PK nail found for the northeast corner of said Lot 1, Block A;

THENCE, South 00 degrees 19 minutes 23 seconds East, with the east line of said Lot 1, Block A and a west line of said Block M, a distance of 199.64 feet to a 5/8-inch iron rod with "BGE" yellow cap found for corner in the north line of Main Street (a variable width right-of-way, 124-feet wide at this point); said point being the southeast corner of said Lot 1, Block A and the southwest corner of Lot 32 of said Block M;

THENCE, with the north line of said Main Street and the south line of said Lot 1, Block A, the following two (2) courses and distances:

South 89 degrees 56 minutes 36 seconds West, a distance of 417.47 feet to a 5/8-inch iron rod with "BGE" yellow cap found for corner at the southeast end of a right-of-way corner clip;

North 45 degrees 49 minutes 21 seconds West, with said corner clip, a distance of 26.56 feet to a 5/8-inch iron rod with "BGE" yellow cap found for corner at the northwest end of a right-of-way corner clip; said point being in the east line of said Malone Road;

THENCE, North 01 degrees 02 minutes 15 seconds West, with the east line of said Malone Road and the west line of said Lot 1, Block A, a distance of 316.42 feet to the POINT OF BEGINNING and containing an area of 2.698 acres or 117,532 square feet of land, more or less.

SURVEYOR'S CERTIFICATE

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

Gregory Mark Peace
Registered Professional Land Surveyor
License No. 6608



STATE OF TEXAS

COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day appeared Gregory Mark Peace, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2020

Notary Public in and for the State of Texas

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That 4MC Investments LLC, through the undersigned authority, does hereby adopt this plat designating the described property as "LOT 1R AND LOT 2, BLOCK A, CHILDREN'S LIGHTHOUSE", an addition to the City of Allen, Texas, and does hereby dedicate to the public use forever the street and alleys thereon; and does hereby dedicate the easement strips shown on the plat for mutual use and accommodation of all public utilities desiring to use, or using same. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over or across the easement strips on said plat. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements, or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of these easement strips, and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

This plat is approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Allen, Texas.

Witness my hand this ____ day of _____, 2020

Name: Isam Habboush
Title: Owner

Name: Nadene Habboush
Title: Owner

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day appeared Isam Habboush, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2020

Notary Public in and for the State of Texas

STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day appeared Nadene Habboush, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2020

Notary Public in and for the State of Texas

CITY CERTIFICATE

Approved

Attest

Chairperson
Planning & Zoning Commission

Secretary
Planning & Zoning Commission

Date

Date

Executed Pro-forma

Mayor

Date

The undersigned, the City Secretary of the City of Allen, Texas, hereby certifies that the foregoing Replat of LOT 1R AND LOT 2, BLOCK A, CHILDREN'S LIGHTHOUSE Addition to the City of Allen was submitted to the Planning and Zoning Commission and approved by it on the ____ day of _____, 2020.

City Secretary, City of Allen

REPLAT
LOT 1R AND LOT 2, BLOCK A
CHILDREN'S LIGHTHOUSE
BEING 2.698 ACRES (117,532 SF)
AND BEING A REPLAT OF
LOT 1, BLOCK A, CHILDREN'S LIGHTHOUSE
RECORDED IN CABINET 2019, SLIDE 296
LOCATED IN THE CITY OF ALLEN, TEXAS
AND BEING OUT OF THE
WITSUAL FISHER SURVEY, ABSTRACT NO. 323
COLLIN COUNTY, TEXAS
AUGUST 2020
SHEET 2 OF 2

OWNER
4MC Investments LLC
2989 Marlow Lane
Richardson, Texas 75082
781-640-0492

SURVEYOR
BGE, Inc.
2595 Dallas Parkway, Suite 101, Frisco, TX 75034
Tel: 972-464-4800 • www.bgeinc.com
TBPELS Registration No. 10193953
Contact: Mark Peace
Telephone: 972-464-4800 • Email: mpeace@bgeinc.com
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PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:	August 18, 2020
SUBJECT:	Consider a Request for Alternative Screening for Cumberland Crossing Phase V, Block A, Generally Located Directly North of Esmond Court and Approximately 44± Feet West of Prism Drive (and Commonly Known as 1524 Esmond Court). (AD-080620-0001) [1524 Esmond Court]
STAFF RESOURCE:	Hayley Angel, AICP Planner II
PREVIOUS COMMISSION/COUNCIL ACTION:	Planned Development No. 109 - Approved June, 2012 Final Plat - Approved July, 2013
LEGAL NOTICES:	None.
ANTICIPATED COUNCIL DATE:	None.

BACKGROUND

The property is located in the Cumberland Crossing neighborhood, which is generally located north of Exchange Parkway and west of Twin Creeks Drive. Specifically, the property is located north of Esmond Court and west of Prism Drive. The surrounding properties and subject property are zoned Planned Development PD No. 109 Single-Family Residential R-5.

The applicant is requesting to extend their existing wood fence with masonry columns to enclose a larger portion of the side yard when it would otherwise require an ornamental metal fence.

Section 7.07.4.f of the Allen Land Development Code (ALDC) regulates fencing on residential lots adjacent to open spaces, greenways, and parks. It requires that side and rear lot lines adjacent to open space lots be developed with an ornamental wrought iron fence (as opposed to a typical wooden fence). This section also authorizes the Planning and Zoning Commission to review alternatives to this requirement.

The property's eastern property line is shared with an open space lot owned by the homeowner's association. Along this lot line, there is an existing wood fence with masonry columns. The applicant is requesting to extend this fencing south, as shown on the attached Fencing Diagram, to encompass more of the side yard. Pursuant to Section 7.07.4.f, the ALDC would require this fencing to be ornamental wrought iron. The applicant is requesting to continue using six-foot-tall wood fencing with masonry columns.

The attached Location Map and Existing Conditions image show the current fencing on the property. The materials proposed by the applicant are consistent with other areas in the neighborhood, and the existing condition does not impede the use of the adjacent open space. Staff is in support of this request.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

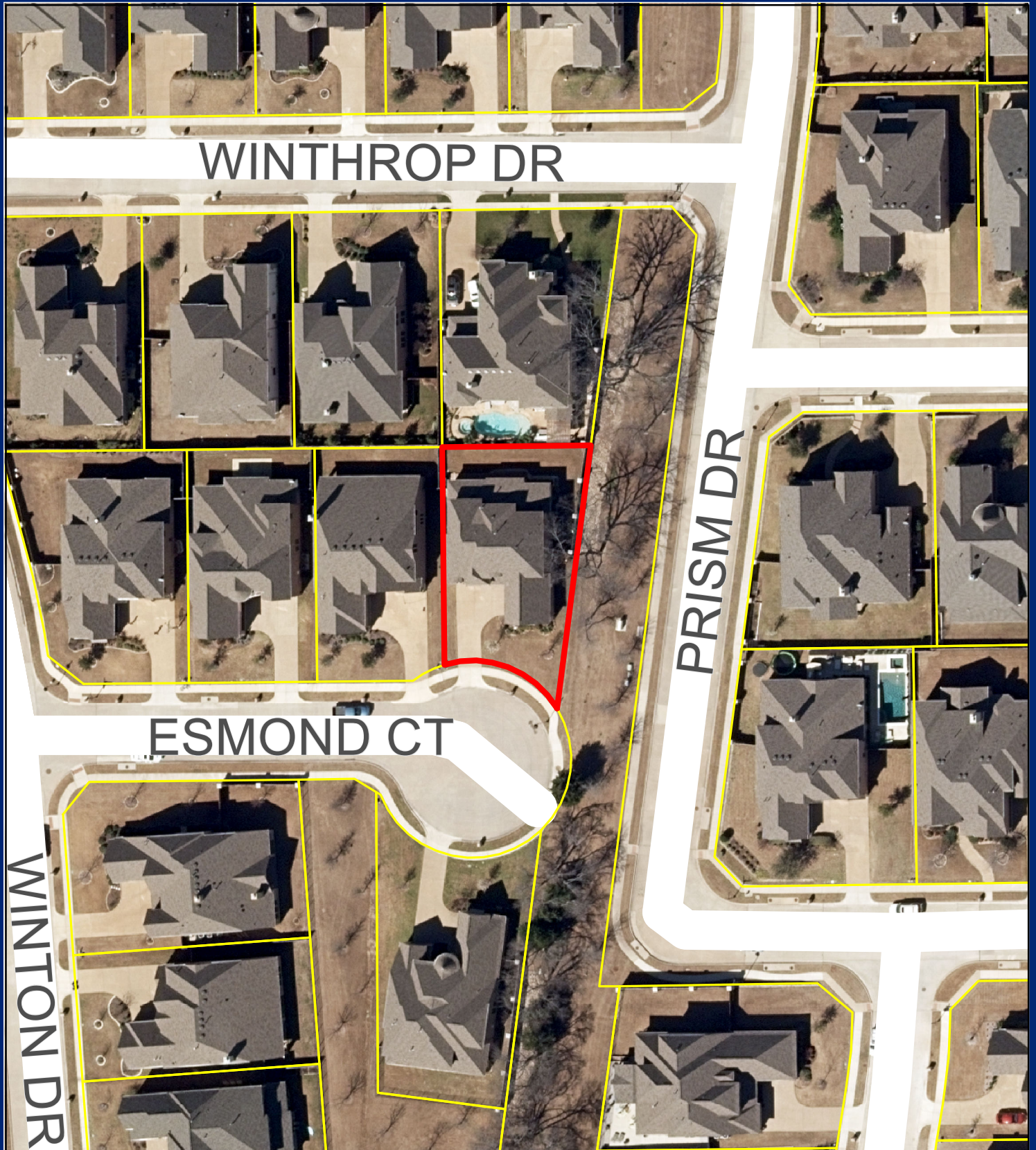
I move to approve the Alternate Screening Request for Cumberland Crossing Phase V, Block A, as presented.

ATTACHMENTS:

Location Map

Existing Conditions

Fencing Diagram

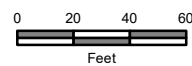


Location Map

1524 Esmond Ct

Map Legend

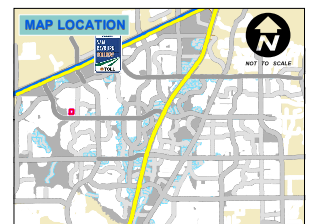
- 1524 Esmond Ct
- CollinCAD Parcels
- Railroad



Community Development - Planning

Date Saved: 8/13/2020

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



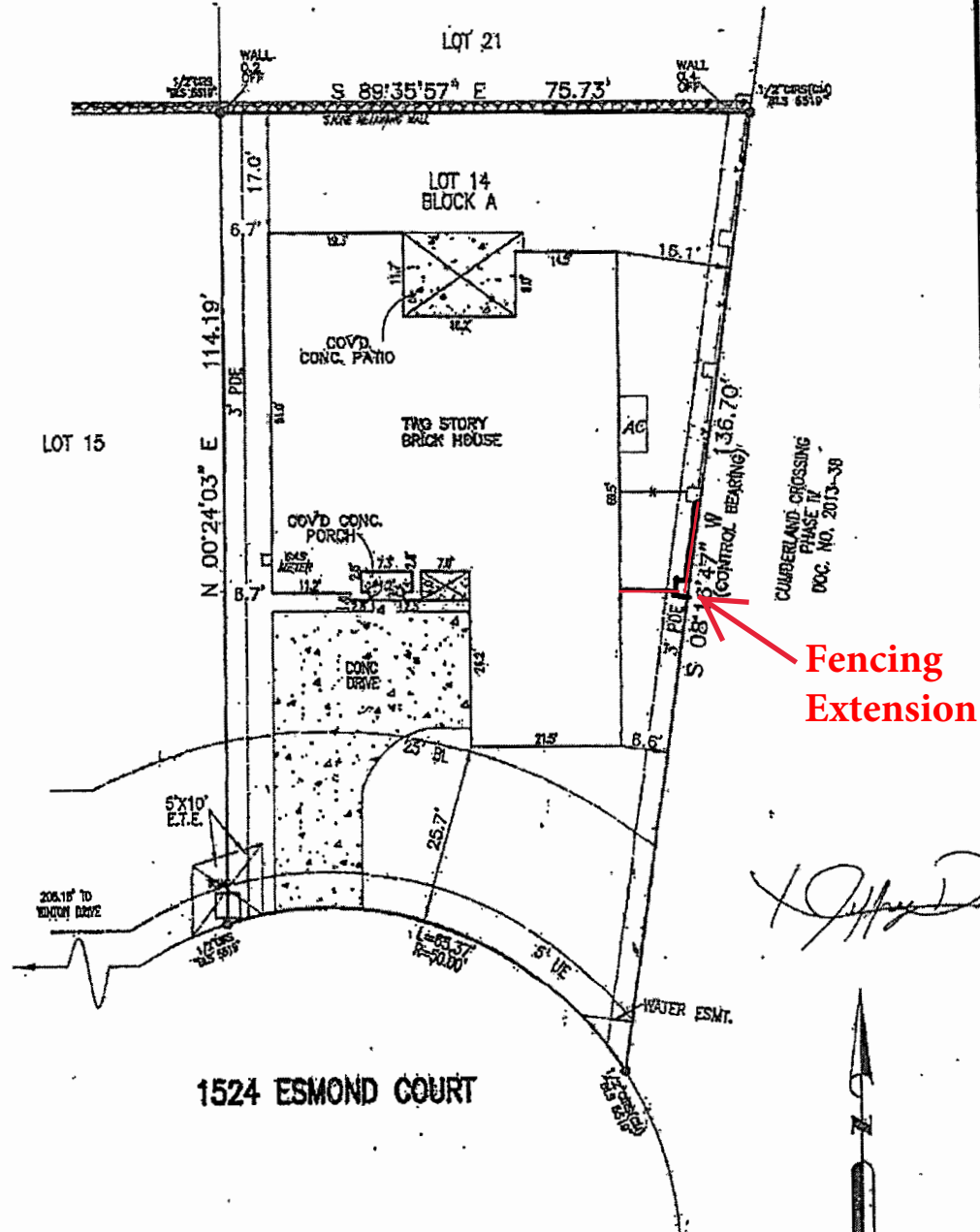
Existing Conditions



PLAT SHOWING

Lot 14, in Block A of CUMBERLAND CROSSING, PHASE IV, an addition to the City of Allen, Collin County, Texas, according to the Plat thereof recorded in Volume 2013, Page 456, Map Records, Collin County, Texas..

1524 ESMOND COURT



1524 ESMOND COURT

"FLOOD CERTIFICATION"
Subject property is located in Zone X (unshaded) according to the Flood Insurance Rate Map, Community Panel Map # 48085C0380 J Map Revised: June 2, 2009

"Zone X" (unshaded)
Areas determined to be outside the 0.2% annual chance floodplain.

NOTE

To the best of my knowledge and belief, the easements recorded in Clerk's File No. 95-0078182; Clerk's File No. 98-0007942; Clerk's File No. 98-0007843; Clerk's File No. 98-0016011; Volume 5893, Page 61; Clerk's File No. 20071011001401280; and Clerk's File No. 20080227000230640 Real Property Records, Collin County, Texas are not located on subject property, except as shown on survey.

BEARING SOURCE

BEARINGS SHOWN HEREON ARE BASED ON THE PLAT RECORD IN VOL. 2013, PG. 456, M.R.C.C.



The Plat hereto is an accurate representation of the property as determined by a survey made on the ground under my direction and supervision of the date shown below. The lines and distances are set and property lines are indicated by the Plat. The plat, location and type of buildings and improvements are as shown, all improvements being within the boundaries of the property, except as shown, set back from the property line. The distances indicated and from the distance from the nearest adjoining street or road is as shown on said Plat. There are no apparent encroachments, conflicts, projections or apparent easements, except as shown.

SURVEY DATE: 7/29/2014

- BL - BUILDING LINE
- UE - UTILITY EASEMENT
- DE - DRAINAGE EASEMENT
- PUE - PUBLIC UTILITY EASEMENT
- CON - CONTROLLING MONUMENT
- IRF - IRON ROD FOUND
- IRS - IRON ROD SET
- IR - IRON ROD
- F - FENCE
- D - DIRECTION OF FLOW

SCALE: 1" = 20'

DRAWN BY: EEB

JOB # 011-0114

BLS JOB # 14010111-03



BARROW
LAND SURVEYING

Platting / Planning / Residential / Commercial

105 DENTON ST.
ROANOKE, TEXAS 76262
PHONE (817) 951-0082
FAX (817) 951-0086

FIRM REGISTRATION NO. 10183700