

# AGENDA PLANNING AND ZONING COMMISSION

REGULAR MEETING – 7:00 P.M.
TUESDAY, AUGUST 19, 2008
ALLEN CITY HALL – COUNCIL CHAMBERS
305 CENTURY PARKWAY
ALLEN, TEXAS

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

#### <u>Directors Report from 8/12/08 Council Meeting</u>

#### **Consent Agenda**

- 1. Approve minutes of August 5, 2008, Regular Meeting.
- 2. Final Plat Consider a Final Plat for Family Video Addition, Lot 2, Block A; being 1.895± acres located at the northwest corner of Malone Road and Main Street.
- 3. Final Plat Consider a Final Plat for Allen Towne Square, Lot 1, Block 1; being 4.315± acres located at the southwest corner of McDermott Drive and Cedar Street.
- 4. Extension of Approval Consider a 60 day extension of approval for North Allen Substation Lots 1R, 2 & 3, Block A & Lot 1R, Block B. The property is .423± acres located north of Stacy Road and west of Chelsea Boulevard

#### Regular Agenda

- 5. Presentation of Capital Improvement Plan (CIP) Update.
- 6. Presentation of Award from the Texas Chapter of the American Planning Association

#### **Other Business**

Upcoming Agenda Items

#### <u>Adjournment</u>

This notice	was posted	at Allen City Ha	II, 305	Century	/ Parkw	ay, All	en, Tex	kas,	at a p	lace	
convenient	and readily	accessible to the	e public	at all	times.	Said	notice v	was	posted	d on	
Friday,		, 2008, at			p.m.						
		_									
		Shelley B. George, City Secretary									

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

AGENDA DATE: August 19, 2008

**SUBJECT:** Consider a Final Plat for Lot 2, Block A, Family

Video Addition. The property is 1.895± acres located at the northwest corner of Malone Road and

Main Street.

STAFF RESOURCE: Lee Battle, AICP

Assistant Director, Planning and Development

**PREVIOUS ACTION:** The Planning & Zoning Commission approved a

General Development Plan on October, 16, 2007, and a Preliminary Plat was approved on April 15,

2008.

### **BACKGROUND**

The property is located north of Main St. and west of Malone Rd. The property to the north, is zoned R-7 for residential. The property located to the west is zoned R-5 for residential. The property to the south across main street is zoned PD-2 LR, Local Retail. To the east of the property across Malone Rd. is zoned PD-42, Planned Development 42, for Local Retail.

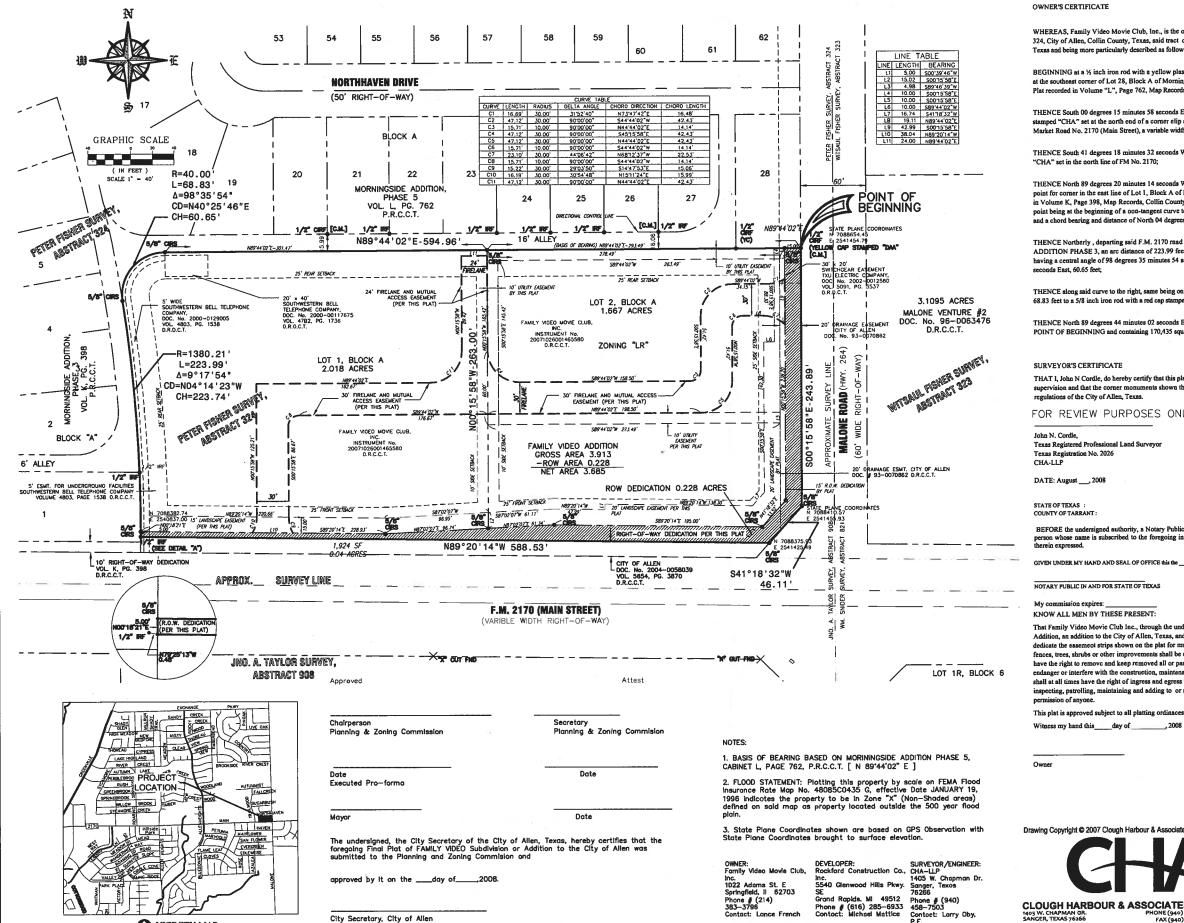
The Final Plat is consistent with the General Development Plan and Preliminary Plat previously approved. All outstanding issues have been resolved. The Plat is in conformance with the regulations in the *Allen Land Development Code*.

#### STAFF RECOMMENDATION

Approval

#### **ATTACHMENTS**

Final Plat



City Secretary, City of Allen

OWNER'S CERTIFICATE

WHEREAS, Family Video Movie Club, Inc., is the owner of a 3.913 acre tract of land situated in the PETER FISHER SURVEY, ABSTRACT NO. 324, City of Allen, Collin County, Texas, said tract of land described in Instrument Number 20071026001465580, Deed Records, Collin County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod with a yellow plastic cap stamped "DAA" found in the West right-of-way line of Malone Road, (60' right-of-way), at the southeast corner of Lot 28, Block A of Morningside Addition Phase 5, an addition to the City of Allen, Collin County, Texas, according to the Plat recorded in Volume "L", Page 762, Map Records, Collin County, Texas;

THENCE South 00 degrees 15 minutes 58 seconds East, along said West right-of-way line, a distance of 243.89 feet to a 5/8 inch iron rod with red cap stamped "CHA" set at the north end of a corner elip at the intersection of said West right-of-way line with the North right-of-way line of Farm to Market Road No. 2170 (Main Street), a variable width right-of-way;

THENCE South 41 degrees 18 minutes 32 seconds West, along said corner clip, a distance of 46.11 feet to a 5/8 inch iron rod with red cap stamped "CHA" set in the north line of FM No. 2170;

THENCE North 89 degrees 20 minutes 14 seconds West, along the north right-of-way line of F.M. 2170 (Main Street), a distance of 588.53 feet to a point for corner in the east line of Lot 1, Block A of Morningside Addition, Phase 3 an addition to the City of Allen according to the Final Plat recorded in Volume K, Page 398, Map Records, Collin County, Texas, from which a 1/2" iron rod found bears North 79°25'13"West, a distance of 0.48 feet said point being at the beginning of a non-tangent curve to the left having a central angle of 90 degrees 17 minutes 54 seconds, a radius of 1,380.21 feet, and a chord bearing and distance of North 04 degrees 14 minutes 23 seconds West, 223.74 feet;

THENCE Northerly, departing said F.M. 2170 mad and along said curve to the left, same being the Easterly line of said MORNINGSIDE ADDITION PHASE 3, an arc distance of 223.99 feet to a 5/8 inch iron rod with a red cap stamped "CHA, set at the beginning of a curve to the right having a central angle of 98 degrees 35 minutes 54 secoods, a radius of 40.00 feet, and a chord bearing and distance of North 40 degrees 25 minutes 54 secoods.

THENCE along said curve to the right, same being on the southerly line of said MORNINGSIDE ADDITOIN PHASE 5, AN ARC DISTANCE OF 68.83 feet to a 5/8 inch iron rod with a red cap stamped "CHA, set";

THENCE North 89 degrees 44 minutes 02 seconds East, along said south line of said Morningside Addition Phase 5, a distance of 594.96 feet to the POINT OF BEGINNING and containing 170,435 square feet or 3,913 acres.

THAT 1, John N Cordle, do hereby certify that this plat was prepared from an actual and accurate survey of the land performed under my direction and supervision and that the corner monuments shown thereoo shall be properly placed, under my personal supervision, in accordance with the subdivi regulations of the City of Allen, Texas.

FOR REVIEW PURPOSES ONLY; NOT TO BE RECORDED

John N. Cordle, Texas Registered Professional Land Surveyor Texas Registration No. 2026

DATE: August \_\_\_\_, 2008

STATE OF TEXAS : COUNTY OF TARRANT

BEFORE the undersigned authority, a Notary Public in and for State of Texas on this day personally appeared John N. Cordle 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 purjoses and consideration

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the day of

NOTARY PUBLIC IN AND FOR STATE OF TEXAS

My commission expires

KNOW ALL MEN BY THESE PRESENT:

That Family Video Movie Club Inc., through the undersigned authority, does hereby adopt this plat designating the described property as Family Video Addition, 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

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

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FINAL PLAT OF FAMILY VIDEO ADDITION AN ADDITION TO THE

CITY OF ALLEN, COLLIN COUNTY, TEXAS LOTS 1 AND 2 BLOCK A 3.913 ACRES SITUATED IN

PETER FISCHER SURVEY, ABSTRACT No.324

CITY OF ALLEN, COLLIN COUNTY, TEXAS PREPARATION DATE AUGUST, 2008

Drawing Copyright @ 2007 Clough Harbour & Associates LLP

VICINITY MAP

**CLOUGH HARBOUR & ASSOCIATES LLP** FAX (940) 458-741; PROJECT # 17500

AGENDA DATE: August 19, 2008

SUBJECT: Consider a Final Plat for Lot 1, Block 1, Allen

Towne Square, being 4.315± acres located at the southwest corner of McDermott Drive and Cedar

Street.

STAFF RESOURCE: Lee Battle, AICP

Assistant Director, Planning and Development

PREVIOUS COMMISSION/

COUNCIL ACTION: The Planning & Zoning Commission approved a

Preliminary Plat on February 9, 2007.

#### **BACKGROUND**

The property is located south of McDermott Drive and west of Cedar Street and is located in the CBD Central Business district.

The Final Plat is consistent with the Preliminary Plat previously approved. All outstanding issues have been resolved. The Plat is in conformance with the regulations in the *Allen Land Development Code*.

#### **STAFF RECOMMENDATION**

Approval

#### **ATTACHMENTS**

Final Plat

R.P.L.S. No. 4415 DATED OCTOBER 17, 2005 CEDAR STREET

C.M. I.R.F.O I.R.S.O

CONTROLLING MONIRON ROD FOUND IRON ROD SET

LEGEND CONTROL

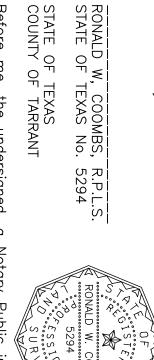
CITY SECRETARY

ABST. No. ABST. No. SURVE) SURVEY 5. 758 S N 01°21'15"E 166.36' (TAJ9 '00.24) iπ N 02°13′14″E Λ΄ iν 52.09′ 11.38,11,E 134.40, ETTIS CONKI . <u>881°15'24"E</u> <u>126.05'</u> N 88°37'35"/W 250.25' N. 79, 74.12 10 (44.55' PLAT) <u>\$82"12"38"E</u> 247.24" N82\*12'38"W N11°39'43''E 55.49' N 11°25'23"E 121.25' BLOCK 1 TOWN OF ALLEN VOL. 6, PG. 153 UTILITY EASEMENT (BY THIS PLAT) BLOCK 4, ALLENWOOD ESTATES THIRD INSTALLMENT VOL. 4, PG. | 36, P.R.C.C.T. N<sub>1</sub>02°24'15"E 112.38' 30 % UTILITY EASEMEN
(BY THIS PLAT)
N: 7087890.9227
E: 2529170.8600 102.85' 23.50° N88°37'35"W [[-] [고 [-] [-] [고 [-] [-] [고 N01'22'25"E 29.96' 25.45' Political LOT 24' FIRELANE, ACCESS & UTILITY EASEMENT N01'22'25"E 199.67' (BY THIS PLAT) ELLIS 89°01'43"W 334.13' N01°22'25"E BLOC: 4.315 A LOT LOT  $\mathcal{O}$ TREET ACRES & UTILITY EASEMENT S78-23'48"E 32 SO1'22'25"W SO1'23.50' SO NO1'22'25"E 7 26.46' 33 UTILITY & LANDSCAPE EAS (BY THIS PLAT) Q. UTILITY & LANDSCAPE (BY THIS PLAT) S 05'18'11"W 143.07' S 03'26'32"W 148.57' 10.08 S 03°26'32"W 356.26' N: 7087889.8753 E: 2529505.0570 CEDAR STREET

CONCRETE PAVEMENT
W/ INTEGRAL CURB
60' R.O.W. N: 7088245.7508 E: 2529521.4644 N 03'26'32"E 80.62' N 03°26'32"E 80.42'

> STATE OF COUNTY OF TARRANT

THAT I, RONALD W. COOMBS, a Registered professional Land Surveyor of the State of Texas have prepared this plat from actual survey on the ground and that all corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulat of the Planning and Zoning Commission of the City of Allen, Collin County, Texas.



Before me, the undersigned, a Notary Public in and for the State of Texas, on this day personaly appeared RONALD W. COOMBS, known to me to be the person whose name is subscribed to the foregoing Instrument and acknoledged to me that he executed the same for the purposes and considerations therein expressed. GIVEN UNDER MY HAND AND 유 OFFICE

day

OWNER LOT 1:
ALLEN TOWNE SQUARE, L.
2010 AVENUE G, SUITE 90
PLANO, TEXAS 75074
(214) 685-5656
FAX (972) 422-0053 L.P. 904 SURVEYOR:
COOMBS LAND SURVEYING INC.
4374 W. VICKERY BLVD
FORT WORTH, TEXAS 76107
(817) 731-6400
FAX (817) 731-6402
RON.COOMBS@SBCGLOBAL.NET

APPROVED:

OWNER'S DEDICATION AND ACKNOWLEDGMENT

Coombs Land Surveying, Inc.
P.O. Box 11370 Fort Worth Texas 76110
4374 W. Vickery Boulevard Fort Worth Texas 76107
(817) 731-6400 (817) 731-6402 FAX

CHAIRMAN
PLANNING AND
COMMISSION ZONING COMMISSION AND ZONING

"THE UNDERSIGNED, THE CITY SECRETARY OF THE CIT CERTIFIES THAT THE FOREGOING FINAL PLAT OF LOT 1, SQUARE, AN ADDITION TO THE CITY OF ALLEN, COLLIN

EXECUTED PRO-FORMA MAYOR CITY OF ALLEN

THIS THE DAY OF

BEGINNING at a 3/8—inch iron rod found at the Southeast corner of said ALLEN TOWNE SQUARE Tract, being the Northeast corner of Block 4, Allenwood Estates, Third Installment, an addition to the City of Allen, Collin County, Texas, according to the plat recorded in Volume 4, Page 36, Plat Records, Collin County, Texas and lying in the West right—of—way line of Cedar Street (a 60 foot right—of—way);

THENCE departing said right—of—way line and along the common boundary line between said ALLEN TOWNE SQUARE Tract and said Block 4, Allenwood Estates as follows:

WHEREAS, ALLEN TOWNE SQUARE, L.P., acting by and through the undersigned, it's duly authorized agent ROBERTO BEVILACQUA, is the sole owner of that certain tract of land situated in the JAMES L. READ SURVEY, ABSTRACT No. 758 and the WILLIAM PERRIN SURVEY, ABSTRACT No. 708, City of Allen, Collin County, Texas, according to the respective deeds recorded in County Clerk's File No.\_\_\_\_\_, Collin County, Texas, and being more particularly described by metes and bounds as follows:

Y OF ALLEN, TEXAS, HEREBY , BLOCK 1, McDERMOTT COUNTY,

S 81° 15' 24" E, 126.05 feet to a 1/2—inch iron rod set;

THENCE along the Northerly boundary line of said ALLEN TOWNE SQUARE Tract as follows:

THENCE N 01°21' 15" E 166.36 feet along the common boundary line between aforesaid ALLEN TOWNE SQUARE Tract and said Lot A, Mcdermott Business Park to a 1/2—inch iron rod set at the Southerly most Northwest corner of aforesaid ALLEN TOWNE SQUARE Tract;

N 88° 37' 35" W, 250.25 feet to a 1/2—inch iron rod found at the Southeast corner of Lot A, Mcdermott Business Park, an addition to the City of Allen, Collin County, Texas according to the plat recorded in Cabinet Q, Page 356, Plat Records, Collin County, Texas;

N 02° 24' 15" E 112.38 feet to a 1/2—inch iron rod found;

N 89°01'43" W, 334.13 feet to a 1/2—inch iron rod found;

N 11° 39' 43" E, 55.49 feet to a 1/2—inch iron rod set in South boundary line of Lot 1, Block 1, Toney—Mcdermott Addition, an addition to the City of Allen, Collin County, Texas, according to the plat recorded in Cabinet K. Page 97, Plat Records, Collin County, Texas; THENCE along the common boundary line between said ALLEN TOWNE SQUARE Tract and said Toney—Mcdermott Addition as follows:

S 82° 09' 09" E, 5.34 feet to a 1/2-inch iron rod set at the Southeast corner of said Toney-Mcdermott Addition;

N 11°25'23" E, 121.25 feet to a 5/8—inch iron rod found at the Northwest corner of said ALLEN TOWNE SQUARE Tract, being the Northeast corner of said Toney—Mcdermott Addition and lying in the South right—of—way line Mcdermott Drive (a called 110 foot right—of—way);

THENCE S 78° 23' 48" E, along the North boundary line of said ALLEN TOWNE SQUARE Tract with the South right-of-way line of said Mcdermott Drive at 112.55 feet passing a 1/2-iron rod found in the West right-of-way line of Birch Drive (a called 80 foot right-of-way), at 192.38 feet a 1/2-inch iron rod found in the East boundary line thereof and continuing in all a total distance of 440.86 feet to a 1/2-inch iron rod found at the Northeast corner of said ALLEN TOWNE SQUARE Tract, lying at the intersection of the South right-of-way line Mcdermott Drive with the West right-of-way line of aforesaid Cedar Street;

THENCE S 03° 26' 32" W 278.97 feet along the East boundary line of said ALLEN TOWNE SQUARE Tract with the West right—of—way line of aforesaid Cedar Street to the PLACE OF BEGINNING, containing 4.315 acres of land.

STATE OF TEXAS COUNTY OF COLLIN

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, ALLEN TOWNE SQUARE, L.P., acting by and through the undersigned, it's duly authorized agent ROBERTO BEVILACQUA, do hereby adopt this plat designating the herein above described property as LOT 1, BIOCK 1, ALLEN TOWNE SQUARE, an addition to the City of Allen, Collin County, Texas, and do hereby dedicate, in fee simple to the public use forever the streets and alleys shown hereon. The easements shown hereon are hereby reserved for the purposes indicated. The utility and fire lane easements shall be open to the public, fire and police units, garbage and rubbish collection agencies and all public is the responsibility of the growths shall be constructed, reconstructed or placed upon, over or across the easements shown. Said easements being hereby reserved for the mutual use and accommodation of all public utilities desiring to use same. All and any public utilities shall have the right to remove and keep removed all or parts of any building, fences, trees, shrubs or other improvements or growths which in anyway may endanger or interfere with the construction, maintenance or efficiency of it's respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. (Any public utility shall have the right of ingress and egress to private properly for the purpose of reading meters and any maintenance or service required or ordinarily performed by that utility).

ROBERTO BEVILACQUA PRESIDENT

STATE OF COUNTY ( OF COLLIN

BEFORE ME, the undersigned authority, on this day personally appeared ROBERTO BEVILACQUA, MANAGER, ALLEN TOWNE SQUARE, L.P., a Texas limited partnership, 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 considerations therein expressed and in the capacity therein stated, and as the act and deed of said partnership.

Given under my hand and seal of office

This the day of

NOTARY PUBLIC STATE OF TEXAS

FINAL

LOT 1
BLOCK 1
ALLEN TOWNE SQUARE
AN ADDITION TO THE CITY OF ALLI
COLLIN COUNTY TEXAS
AND BEING
4.315 ACRES OF LAND
SITUATED IN THE
WILLIAM PERRIN SURVEY PLAT ALLEN

JAMES L. ABSTRACT No. 758
COLLIN COUNTY, TEXAS ABSTRACT No.
AND THE READ SURVEY 708

RECORDED  $\equiv$ CABINET SLIDE#

SH

PLAT

06-0126

AGENDA DATE: August 19, 2008

**SUBJECT:** Consider a 60-day extension of approval for a Final Plat for

North Allen Substation, Lots 1R, 2 & 3, Block A and Lot

1R, Block B.

**STAFF RESOURCE:** Lee Battle, AICP

Assistant Director, Planning and Development

**PREVIOUS ACTION:** The Final Plat was approved by the Commission on May 6,

2008.

#### **BACKGROUND**

The applicant has submitted a request for a 60-day extension to the approval for recording this Final Plat.

The *Allen Land Development Code* (Section 8.03.4) states that a final plat shall expire if not filed of record within 90 days of approval; however, the Planning & Zoning Commission, at its discretion, may grant an extension of time not to exceed sixty (60) days.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the 60-day extension of the Final Plat to October 6, 2008

#### **ATTACHMENTS**

Request for Extension Letter

5225 Village Creek Drive Suite 200 Plano, Texas 75093 972-931-0694 972-931-9538 Fax

5 August 2008

Lee Battle, AICP Assistant Director of Planning City of Allen 305 Century Parkway Allen, Texas 75013

**RE:** North Allen Substation

Replat

DAA Job No. 02008-03

Dear Mr. Battle:

On behalf of Oncor Electric and Blue Star Land, L.P., we respectfully request a 60-day extension to record the North Allen Substation Replat with Collin County. The Replat was approved at the Planning and Zoning Commission meeting on May 6, 2008 and is currently on track to expire August 6, 2008.

We are in the process of finalizing Oncor's signature. The requested extension would provide us with the necessary time to complete this task.

Please do not hesitate to call me should you have any questions regarding this request.

Sincerely,

J. Casey Ross, P.E.

J Carey Ross

Cc: Kerry Ketcher, Blue Star Land, L.P. Wayne Wright, Oncor Tiffany McLeod, City of Allen Dallas Cothrum, Masterplan

AGENDA DATE: August 19, 2008

SUBJECT: CIP Capital Improvement Program Update

**STAFF RESOURCE:** Chris Flanigan, P.E.

Assistant Director of Engineering

**PREVIOUS ACTION:** The City Council Acknowledged Receipt of the Proposed

2008–2009 City Budget and the Proposed 2009–2013 Capital Improvement Program as Submitted by the City Manager in Accordance with Article IV, Section 4.02 of the

City Charter on August 12, 2008.

#### **BACKGROUND**

The Planning and Zoning Commission acts in an advisory capacity for the City Council regarding the CIP. Annually, the CIP is presented to the Commission by the City Engineering Director for a recommendation to the Council.

#### **STAFF RECOMMENDATION**

Recommend approval of the CIP to the City Council.

#### **ATTACHMENTS**

CIP books

AGENDA DATE: August 19, 2008

**SUBJECT:** Presentation of Award from the Texas Chapter of

the American Planning Association

**STAFF RESOURCE:** Lee Battle, AICP

Assistant Director, Planning & Development

PREVIOUS ACTION: None

#### **BACKGROUND**

The Texas Chapter of the American Planning Association has awarded the City of Allen the "Certificate of Achievement for Planning Excellence" for 2008. Allen is one of only eleven cities in Texas receiving this designation. This award is given annually to Texas communities meeting specific performance criteria in the area of planning and development including training and qualifications of the planning staff and Planning Commission, breadth and currency of master plan components, and completion of other planning related projects. This is the sixth year that the City of Allen has received this award.

#### **ATTACHMENT**

Letter of Award from John Kaminski, AICP, President, Texas Chapter, APA



American Planning Association

## **Texas Chapter**

Making Great Communities Happen

August 3, 2008

Mr. Stephen Terrell, Mayor City of Allen 305 Century Parkway Allen, TX 75013

Dear Mayor Terrell;

It is with great pleasure that the Texas Chapter of the American Planning Association presents the enclosed "Certificate of Achievement for Planning Excellence" to your Planning Department for 2008. This certificate recognizes the professional planning standards demonstrated by your planning staff and the funding and support exhibited by your City Council and Planning and Zoning Commission. More specifically, the City of Allen has met the Chapter's goals for:

- Increasing awareness of professional planning,
- Recognizing planning departments which meet certain professional requirements,
- Enhancing neighborhood and citizen recognition of planning efforts,
- Encouraging the funding of professional training for Commissioners and staff, and
- Aiding in economic development and community image.

I encourage you to share this award with your City Council and Commission at an appropriate time. The Board of Directors and the 2,000 members of the Chapter look forward to your continued success and your leadership in community planning in Texas.

Sincerely,

John Kaminski, AICP

President

Texas Chapter

American Planning Association