



**AGENDA
PLANNING AND ZONING
COMMISSION**

**REGULAR MEETING – 7:00 P.M.
TUESDAY, OCTOBER 21, 2008
ALLEN CITY HALL – COUNCIL CHAMBERS
305 CENTURY PARKWAY
ALLEN, TEXAS**

Call to Order and Announce a Quorum is Present

Directors Report: Action taken by the City Council at their 10/14/08 City Council meeting.

Consent Agenda

1. Approve minutes of October 7, 2008, Regular Meeting.
2. Final Plat – Consider a Final Plat for Starcreek Commercial, Lots 1-3, Block C, being 12.154± acres located at the southeast corner of Watters Road and Ridgeview Drive.

Regular Agenda

3. Public Hearing/Replat – Consider a Residential Replat for lots 5-15 and 17-20, Block K of Bethany Ridge Estates II, Phase B, to add a 50 ft. strip of land to the rear of each lot. The property is 4.637± acres located on Cassandra Lane.
4. Tabled Item/Public Hearing – Conduct a Public Hearing and consider an amendment to the Development Regulations to permit self storage as an accessory use and to adopt a concept plan on Tract 5, PD Planned Development No. 58 for SC Shopping Center, for the Appleseed Project. The property is 14.48± acres situated in the Henry Wetsel Survey, Abstract No. 1026, Collin County, City of Allen, Texas; located at the northwest corner of Greenville Avenue and Exchange Parkway.

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, _____, 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.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:

October 21, 2008

SUBJECT:

Consider a request for a Final Plat for Starcreek Commercial, Lots 1-3, Block C, for The Montessori School at Starcreek. The property is 12.154± acres located at the southeast corner of Watters Road and Ridgeview Drive.

STAFF RESOURCE:

Ogden “Bo” Bass, AICP
Director, Planning & Development

PREVIOUS BOARD/COUNCIL ACTION:

The property was zoned PD 92 in March, 2004. A detailed Site Plan was approved by City Council September, 2004, and a Preliminary Plat was approved November, 2004.

BACKGROUND

The property is located at the southeast corner of Watters Road and Ridgeview Drive. The property is zoned PD Planned Development No. 92 for CC Corridor Commercial. The property to the north across Ridgeview Drive, and to the west, across Watters Road, are also zoned PD Planned Development No. 92 for CC Corridor Commercial. The property to the south is zoned PD Planned Development No. 92 for R-3 and R-5 Residential. The property to the east is zoned CF Community Facilities.

The final plat is for the remaining segment of the Starcreek Commercial property. Lot 1 is being developed into the Starcreek Montessori School. Lot 2 will potentially develop as future office space. The attached concept plan, provided by the owner, demonstrates that this lot is developable. Lot 3 is being dedicated to the City for future parkland.

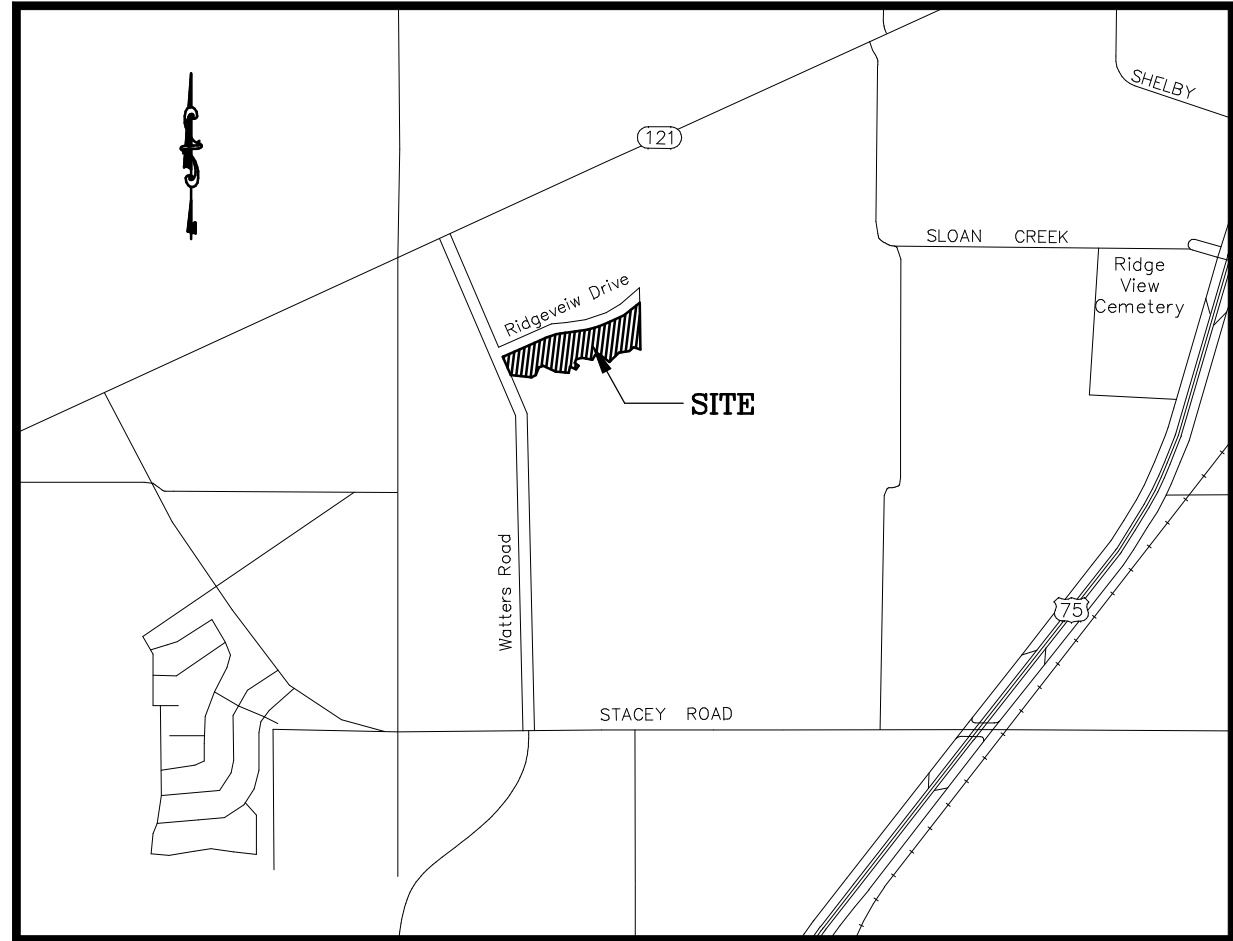
STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Final Plat

Vicinity Map
(not to scale)



Easement Line Table		
No.	Bearing	Distance
E1	S21°10'09"E	34.10'
E2	S68°49'51"W	15.00'
E3	N21°10'09"W	27.89'

Boundary Line Table		
No.	Bearing	Distance
L1	S89°41'22"W	43.22'
L2	S81°36'56"W	47.72'
L3	S42°32'24"W	37.77'
L4	S41°39'48"W	37.26'
L5	S47°53'32"W	21.91'
L6	S52°37'24"W	49.67'
L7	S45°01'48"W	21.88'
L8	S78°14'37"W	18.97'
L9	N75°25'23"W	53.35'
L10	S82°38'32"W	14.54'

Coordinates shown are based on
City of Allen Geodetic Monumentation,
Monument No. 6 and Monument No. 8

1/2" I.R.S. #1
N=7,102,895.26
E=2,526,479.96

1/2" I.R.S. #2
N=7,102,761.20
E=2,526,543.61

1/2" I.R.S. #3
N=7,103,058.93
E=2,528,043.22

1/2" I.R.S. #4
N=7,103,630.04
E=2,528,035.28

Rosewood Property Company
Clerk's File No.
20080703000814780,
D.R.C.C.T.

Star Creek, LLC
Clerk's File No.
20070515000652150,
D.R.C.C.T.

CURVE TABLE				
No.	Radius	Arc Length	Delta	Chrd. Bearing
C1	30.50'	20.24'	38°01'36"	N31°27'39"W
C2	30.50'	10.52'	19°45'57"	S02°33'56"E
C3	30.50'	21.39'	40°11'10"	N07°38'44"E
C4	30.00'	21.04'	40°11'11"	N07°38'42"E
C5	30.00'	23.56'	44°59'59"	S05°14'18"W
C6	30.50'	23.95'	45°00'02"	N50°14'20"E
C7	30.50'	47.91'	89°59'53"	N62°15'45"W
C8	54.00'	81.01'	85°57'32"	N36°05'09"E
C9	30.00'	45.01'	85°57'29"	N36°05'09"E
C10	30.00'	47.11'	89°58'49"	S55°56'42"E
C11	30.00'	47.14'	90°01'17"	S34°03'17"W

Notes:

1.) All easements shown on are per this plat, unless otherwise noted.

2.) Selling off a portion of this addition by metes and bounds is a violation of City Ordinance and State Law and is subject to fines and withholding of utilities and building permits.

3.) Bearings are based on the southeasterly line of Lot 1, Block B of LOT 1 and 1X, BLOCK B STARCREEK COMMERCIAL ADDITION, an addition to the City of Allen, as recorded in Cabinet Q, Page 643, of the Map Records of Collin County, Texas.

4.) All corners shown with open circles are 1/2" iron rod with a yellow plastic cap stamped "DAA" found, unless otherwise noted.

5.) 1/2" I.R.S. = 1/2" iron rod with a yellow plastic cap stamped "RPLS 5686" set for corner;

LOT 1 and 1X, BLOCK B
STARCREEK COMMERCIAL
Cab. Q, Pg. 643,
M.R.C.C.T.

10' Utility Easement
Clerk's File No.
20070531000730060,
D.R.C.C.T.

20' Sanitary
Sewer Easement
Vol. 5938, Pg. 86,
D.R.C.C.T.

Lot 3, Block C
4.579 Acres
Dedicated to the City of Allen
for Drainage and Recreation Purposes

Part of Tract D
Blue Star Allen Land, L.P.
Vol. 5638, Pg. 5196,
D.R.C.C.T.

Lot 1, Block C
3.000 Acres

LIMITS OF 100-YEAR FLOODPLAIN
PER LOMR DATED 07-31-06
CASE NO. 05-06B192R
(Vol. 2007, Pg. 250)

Francis Dasser Survey
Abstract No. 280

Part of Tract D
Blue Star Allen Land, L.P.
Vol. 5638, Pg. 5196,
D.R.C.C.T.

Lot 2, Block C
4.575 Acres

STARCREEK PHASE TWO
Vol. 2007, Pg. 250,
M.R.C.C.T.

FINAL PLAT STARCREEK COMMERCIAL LOTS 1-3, BLOCK C

BEING 12.154 ACRES
IN THE
FRANCIS DASSER SURVEY ~ ABSTRACT NO. 280
CITY OF ALLEN, COLLIN COUNTY, TEXAS

Date: April 16, 2008
Revised: October 08, 2008

Scale: 1" = 50'

OWNER'S CERTIFICATION

STATE OF TEXAS §
COUNTY OF COLLIN §

WHEREAS, Allen Ridgeview Properties, L.L.C. and Blue Star Allen Land, L.P. is the owner of a tract of land situated in the Francis Dasser Survey, Abstract No. 280, in the City of Allen, Collin County, Texas and being all of that called 3.000 acre tract of land described by deed to ALLEN RIDGEVIEW PROPERTIES, LLC, as recorded under Clerk's File No. 20070531000730040, of the Deed Records of Collin County, Texas (D.R.C.C.T.) and also being a part of called Tracts B and D, described by deed to Blue Star Allen Land, L.P. as recorded in Volume 5638, Page 5196, D.R.C.C.T., said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with a yellow plastic cap stamped "RPLS 5686" set (herein after referred to as a 1/2" iron rod set) in the southeasterly right-of-way line of Ridgeview Drive (a 120' right-of-way), same being in the westerly line of a tract of land described by deed to Cottonwood Management, Ltd. as recorded in Volume 4271, Page 1666, D.R.C.C.T., from which the northeast corner of said Tract D bears, North 00°47'40" West, a distance of 175.73';

THENCE South 00°47'40" East, along the common line between said Tract D and Cottonwood Management, Ltd. tracts, a distance of 571.16' to a 1/2" iron rod set at the northeast corner of STARCREEK PHASE TWO, as recorded in Volume 2007, Page 250, of the Map Records of Collin County, Texas (M.R.C.C.T.), same being the southeasterly corner of said Tract D;

THENCE along the common line between said Tract D and STARCREEK PHASE TWO, the following courses and distances:

North 73°33'07" West, a distance of 79.98' to a point for corner in a creek;

South 50°12'09" West, a distance of 68.66' to a point for corner in a creek;

South 81°43'38" West, a distance of 120.44' to a point for corner in a creek;

South 44°51'55" West, a distance of 152.89' to a point for corner in a creek;

North 53°15'25" West, a distance of 141.24' to a point for corner in a creek;

South 86°02'56" West, a distance of 53.02' to a point for corner in a creek;

South 31°17'13" West, a distance of 61.71' to a point for corner in a creek;

North 80°42'43" West, a distance of 124.76' to a point for corner in a creek;

South 75°43'20" West, a distance of 66.10' to a point for corner in a creek;

South 23°21'33" West, a distance of 44.46' to a point for corner in a creek;

South 53°08'31" East, a distance of 58.03' to a point for corner in a creek;

South 37°52'58" West, a distance of 50.41' to a point for corner in a creek;

North 67°56'28" West, a distance of 75.56' to a point for corner in a creek;

South 12°11'51" West, a distance of 71.43' to a point for corner in a creek;

North 84°19'38" West, a distance of 150.81' to a point for corner in a creek;

North 64°51'41" West, a distance of 159.97' to a point for corner in a creek;

South 65°36'43" West, a distance of 52.19' to a point for corner in a creek;

South 22°56'15" West, a distance of 93.60' to a point for corner in a creek;

South 61°56'02" West, a distance of 56.37' to a point for corner in a creek;

North 83°57'00" West, a distance of 243.26' to a 1/2" iron rod set for corner, said corner being in the easterly right-of-way line of Waters Road, same being the northwesterly corner of said STARCREEK PHASE TWO;

THENCE North 25°23'39" West, along said easterly right-of-way line, same being over and across said Tract B, a distance of 148.40' to a 1/2" iron rod set at the southwesterly end of a corner clip at the Intersection of Waters Road and Ridgeview Drive;

THENCE North 19°36'21" East, along said corner clip, a distance of 35.36' to a 1/2" iron rod with a plastic cap stamped "DAA" found (herein after referred to as a capped 1/2" iron rod) in the aforementioned southeasterly right-of-way line of Ridgeview Drive, same being the northeasterly end of said corner clip;

THENCE along said southeasterly right-of-way line the following courses and distances:

North 64°36'21" East, a distance of 200.00' to a 1/2" iron rod set for corner;

North 60°47'00" East, a distance of 150.00' to a capped 1/2" iron rod found for corner;

North 64°36'21" East, a distance of 36.68' to a capped 1/2" iron rod found at the beginning of a curve to the right, having a radius of 940.00', a central angle of 18°44'41", and a chord which bears, North 73°58'41" East, a chord distance of 306.16';

Thence in a northeasterly direction, along said curve to the right, an arc length of 307.53' to a capped 1/2" iron rod found;

North 83°21'03" East, a distance of 121.93' to a capped 1/2" iron rod found at the beginning of a curve to the left, having a radius of 1110.00', a central angle of 35°00'06" and a chord which bears, North 65°51'00" East, a chord distance of 667.60';

Thence in a northeasterly direction, along said curve to the left, an arc length of 678.10' to a 1/2" iron rod set for corner;

North 48°20'57" East, a distance of 233.14' to the POINT OF BEGINNING and containing 12.154 acres of land, more or less.

STATE OF TEXAS §
COUNTY OF COLLIN §

NOW, THEREFORE, KNOW ALL MEN BY THESES PRESENTS:

THAT, ALLEN RIDGEVIEW PROPERTIES, LLC, and BLUE STAR LAND, L.P. do hereby adopt this combination plat, designating the above described property as STARCREEK COMMERCIAL LOTS 1-3, BLOCK C, on addition to the City of Allen, Texas, and do hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on the plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Allen. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Allen's use thereof. The City of Allen and public utility entity shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Allen and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of construction, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

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

Witness my hand this the _____ day of _____, 2008.

ALLEN RIDGEVIEW PROPERTIES, LLC

BLUE STAR LAND, L.P.

Monica K. Cook – President

Joe Hickman – Vice President

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Monica K. Cook, 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 purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 2008.

Notary Public in and for the STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Joe Hickman, 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 purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 2008.

Notary Public in and for the STATE OF TEXAS

Approved

Chairperson
Planning & Zoning Commission

Date

Executed Pro-forma

Mayor

The undersigned, the City Secretary of the City of Allen, Texas, hereby certifies that the foregoing Final Plat of the _____ Subdivision or Addition to the City of Allen was submitted to the Planning and Zoning Commission and approved by it on the ____ day of _____, 2008.

City Secretary, City of Allen

Attest

Secretary
Planning & Zoning Commission

Date

Date

SURVEYOR'S CERTIFICATE

THAT I, MICHAEL B. ARTHUR, do hereby certify that I have prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my supervision. This Amended Plat was prepared in accordance with the subdivision rules and regulations of the City of Allen, Texas.

Michael B. Arthur
Registered Professional Land Surveyor
Texas Registration No. 5686



STATE OF TEXAS §
COUNTY OF COLLIN §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Michael B. Arthur, 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 purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the _____ day of _____, 2007.

Notary Public in and for the STATE OF TEXAS

FINAL PLAT
STARCREEK COMMERCIAL
LOTS 1-3, BLOCK C
BEING 12.154 ACRES
IN THE

FRANCIS DASSER SURVEY ~ ABSTRACT NO. 280
CITY OF ALLEN, COLLIN COUNTY, TEXAS

Date: April 16, 2008
Revised: October 08, 2008

Scale: 1" = 50'

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: October 21, 2008

SUBJECT: Conduct a Public Hearing and consider a Residential Replat for Lots 5-15 and 17-20, Block K for Bethany Ridge Estates II, Phase B, to add a 50 ft. strip of land to the rear of each lot. The property is 4.637± acres located on Cassandra Lane.

STAFF RESOURCE: Lee Battle, AICP
Assistant Director, Planning & Development

PREVIOUS BOARD/COUNCIL ACTION: A Final Plat was approved November 13, 1997.

BACKGROUND

The property is located on the south side of Cassandra Lane. The property is zoned R-5 Residential. The purpose of the replat is to add a 50 foot strip of land to the rear of Lots 5-15 and 17-20. Presently this strip of land is unused open space and includes a NTMWD utility easement. The owners of Lots 5-15 and 17-20 requested to equally divide the strip and add the land to their existing properties.

When Bethany Ridge Estates II was originally developed, a 50 foot wide NTMWD utility easement was left between the edge of the alley and the boundary of the subdivision. The intent was that the HOA would take over ownership and maintenance of this area for the neighborhood. For unknown reasons, an HOA was not successfully established for this subdivision and the developer retained ownership of this strip of land.

Over the years, the adjacent residents and the City have struggled with issues related to maintenance and use of this property. The property has not been consistently maintained by the owner, and often the adjacent residents have mowed and cleaned the property. In addition, the adjacent residents have used the property to park vehicles and trailers, to store materials, or for other activities. Many of these activities are violations of the City's Property Maintenance Code, and City Code Officers have tried to work with residents to find solutions.

Recently a couple of residents approached the City and asked what could be done that would resolve this ongoing issue of maintenance and use. They proposed purchasing the property, taking over maintenance and then being able to use it. After investigation and discussion, staff agreed that a replat of the property that incorporated the 50 foot strip into the existing lots would create the best long-term solution. All of the residents in this block organized, agreed to pursue the replat, contributed the necessary money, purchased the property and hired an engineer to submit this replat.

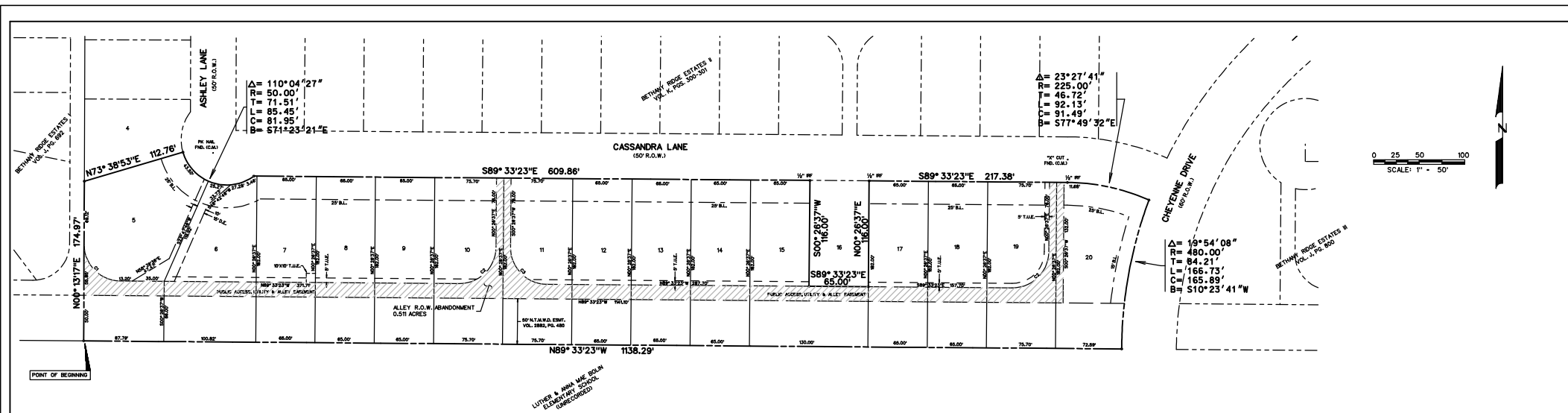
The proposed replat divides the 50 foot wide strip and incorporates it into the existing lots, basically extending the existing lots to the other side of the alley. The alley will remain with an alley easement and will function and be maintained as any other alley in the City. The individual lot owners will be responsible for maintenance of the area and will be allowed to use it as an extension of their lots. The 50 foot NTMWD easement will remain in place, and will prevent permanent structures from being built in this area. Staff believes that this replat will help provide a long-term solution for the use and maintenance of this property.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Replat



LEGAL DESCRIPTION

WHEREAS, ROBERT MCHARGUE, CHRISTIAN COOK, DANIEL YARBROUGH, CAROL MORRIS, MARK NEWCOME, JAMES MUMFORD, RON RILEY, LONNY HEINRICH, STEVEN SUMERFELT, TINA MARBLE, THOMAS KURUVILLA, DAVID KRAUS, HOLDEN SALISBURY, BRAD GREENE, & JAY JERSHIN are the owners of a tract of land situated in the John Snider Survey, Abstract No. 848, in the City of Allen, Collin County, Texas, being all lots 5-15, 17-20, Block K, out of Bethany Ridge Estates II Phase B, an addition to the City of Allen, as described in Volume K, Pages 300-301 in the Map Records Collin County, Texas, and being more particularly described as follows:

BEGINNING, at 1/2 inch iron rod set at the southwest corner of said Bethany Ridge Estates II Phase B, being the southeast corner of Bethany Ridge Estates, an addition to the City of Allen, as described in Volume J, Page 692, in said Map Records;

THENCE, North 00°13'17" East, along the west line of said Bethany Ridge Estates II Phase B and the east line of said Bethany Ridge Estates, for a distance of 174.97 feet, to a 1/2 inch iron rod set at the northwest corner of said Lot 5 Block K;

THENCE, North 73°38'53" East, departing said east and west lines and along the north line said Lot, for a distance of 112.58 feet, to a 1/2 inch iron rod set in the south line of Cassandra Lane (50 R.O.W.) being on a curve to the left, having a radius of 50.00 feet, a central angle of 110°04'27", and a tangent of 71.51 feet;

THENCE, along the south line of said Cassandra Lane and with said curve to the left for an arc distance of 85.45 feet (Chord Bearing South 71°23'21" East - 81.95 feet), to a 1/2 inch iron rod set;

THENCE, South 89°33'23" East, along said south line, for a distance of 609.86 feet, to a 1/2 inch iron rod found at the northeast corner of said Lot 15;

THENCE, South 00°26'37" West, departing said south line and along the west line of said Lot 15, for a distance of 116.00 feet, to a 1/2 inch iron rod set at the southwest corner of said Lot 15;

THENCE, South 89°33'23" East, along the south line of Lot 16, for a distance of 65.00 feet, to a 1/2 inch iron rod set at the southwest corner of said Lot 17;

THENCE, North 00°26'37" East, along the west line of Lot 17, for a distance of 116.00 feet, to a 1/2 inch iron rod found at the northwest corner of Lot 17 being in the south line of said Cassandra Lane;

THENCE, South 89°33'23" East, along the south line of said Cassandra Lane, for a distance of 217.38 feet, to a 1/2 inch iron rod found, at the point of curvature of a curve to the right, having a radius of 225.00 feet, a central angle of 23°27'41", and a tangent of 46.72 feet;

THENCE, continuing along said south line and with said curve to the right for an arc distance of 92.13 feet (Chord Bearing South 77°49'32" East - 91.49 feet), to a 1/2 inch iron rod set at the northeast corner of said Lot 20 being the intersection of the south line of said Cassandra Lane and the west line of Cheyenne Drive (50 R.O.W.), being on a curve left, having a radius of 480.00 feet, a central angle of 19°54'08", and a tangent of 84.21 feet;

THENCE, continuing along said west line and with said curve to the left for an arc distance of 166.73 feet (Chord Bearing South 10°23'41" West - 165.89 feet), to a 1/2 inch iron rod set at the southeast corner of Lot 20;

THENCE, North 89°33'23" West, along the south line of said Bethany Ridge Estates II Phase B, for a distance of 1138.29 feet, to the POINT OF BEGINNING and containing 4.637 acres of land.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that I, WARREN L. CORWIN, do hereby certify that I prepared this Minor Plat and the field notes from an actual and accurate survey of the land, that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the subdivision Regulations of the City of Allen, Texas.

WARREN L. CORWIN
R.P.L.S. No. 4621

THE STATE OF TEXAS

COUNTY OF COLLIN

Before me, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2007.

NOTARY PUBLIC, STATE OF TEXAS

"Approved"

"Executed Pro Forma"

Chairman
Planning and Zoning Commission

Mayor
City of Allen

Date

Date

"The undersigned, the City Secretary of the City of Allen, Texas hereby certifies that the foregoing Plat of Lots 5-15, 17-20 Block K, out of Bethany Ridge Estates II Phase B, an addition to the City of Allen was submitted to the Planning and Zoning Commission and approved by it on the ____ day of _____, 2008 and that such approval constitutes acceptance by the City of Allen of the dedication of right-of-ways, streets, easements, and alleys, as shown and set forth in and upon said Plat, subject to the provisions of the Subdivision Ordinance of the City of Allen as amended."

City Secretary
City of Allen

TOTAL ACRES 4.637
TOTAL RESIDENTIAL LOTS 15

REPLAT
OF
LOTS 5-15, 17-20 BLOCK K

OUT OF
BETHANY RIDGE ESTATES II PHASE B
OUT OF THE

JOHN SNIDER SURVEY ABSTRACT NO. 848

IN THE
CITY OF ALLEN
COLLIN COUNTY, TEXAS

PREPARED BY
CORWIN ENGINEERING, INC.

200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JULY 2008 SCALE 1" = 50'

NOTES

- Bearings are referenced to a Bethany Ridge Estates II, as described in the map Records of Collin County, Texas.
- All lot lines are radial or perpendicular to the street unless otherwise noted by bearing.
- D.E. - Drainage Easement
T.U.E. - Texas Utility Easement
B.L. - Building Line
Public Access, Utility & Alley Easement
- Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law and is subject to fines and withholding of utilities and building permits.

ROBERT MCHARGUE
1300 CASSANDRA LANE
ALLEN, TEXAS 75002
214-383-7423

CHRISTIAN COOK
1302 CASSANDRA LANE
ALLEN, TEXAS 75002
214-495-0688

DANIEL YARBROUGH
1304 CASSANDRA LANE
ALLEN, TEXAS 75002
972-727-8205

CAROL MORRIS
1306 CASSANDRA LANE
ALLEN, TEXAS 75002
214-383-4703

MARK NEWCOME
1308 CASSANDRA LANE
ALLEN, TEXAS 75002
972-747-9866

JAMES MUMFORD
1310 CASSANDRA LANE
ALLEN, TEXAS 75002
972-390-8198

RON RILEY
1312 CASSANDRA LANE
ALLEN, TEXAS 75002
214-383-1128

JAY JERSHIN
908 ASHLEY LANE
ALLEN, TEXAS 75002
972-396-1149

LONNY HEINRICH
1314 CASSANDRA LANE
ALLEN, TEXAS 75002
972-396-5313

STEVEN SUMERFELT
1316 CASSANDRA LANE
ALLEN, TEXAS 75002
214-547-0012

TINA MARBLE
1318 CASSANDRA LANE
ALLEN, TEXAS 75002
214-547-7783

THOMAS KURUVILLA
1322 CASSANDRA LANE
ALLEN, TEXAS 75002
214-495-7992

DAVID KRAUS
1324 CASSANDRA LANE
ALLEN, TEXAS 75002
214-676-8690

HOLDEN SALISBURY
1326 CASSANDRA LANE
ALLEN, TEXAS 75002
214-533-7431

BRAD GREENE
1328 CASSANDRA LANE
ALLEN, TEXAS 75002
972-567-3797

DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT ROBERT McHARGUE, CHRISTIAN COOK, DANIEL YARBROUGH, CAROL MORRIS, MARK NEWCOME, JAMES MUMFORD, RON RILEY, LONNY HEINRICH, STEVEN SUMERFELT, TINA MARBLE, THOMAS KURUVILLA, DAVID KRAUS, HOLDEN SALISBURY, BRAD GREENE and JAY JERSHIN, is the owner of the above-described project and does hereby adopt this plat designating the herein described property as LOTS 5-15, 17-20 BLOCK K out of Bethany Ridge Estates II Phase B, an addition to the City of Allen, Texas, and does hereby dedicate to the public use forever the right-of-way, streets, easements, including the public access, utility and alley easement adjacent to Lots 5-15, 17-20 Block K as shown by the hatched area and alleys platted hereon.

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

EXECUTED this the _____ day of _____, 2008.

ROBERT McHARGUE	MARK NEWCOME	STEVEN SUMERFELT	HOLDEN SALISBURY
CHRISTIAN COOK	JAMES MUMFORD	TINA MARBLE	BRAD GREENE
DANIEL YARBROUGH	RON RILEY	THOMAS KURUVILLA	JAY JERSHIN
CAROL MORRIS	LONNY HEINRICH	DAVID KRAUS	

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared ROBERT McHARGUE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared CHRISTIAN COOK, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared DANIEL YARBROUGH, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared CAROL MORRIS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared MARK NEWCOME, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared JAMES MUMFORD, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared RON RILEY, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared LONNY HEINRICH, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared STEVEN SUMERFELT, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared TINA MARBLE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared THOMAS KURUVILLA, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared DAVID KRAUS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared HOLDEN SALISBURY, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared BRAD GREENE, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned, a Notary Public for the State of Texas, on this day personally appeared JAY JERSHIN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same is his act and deed in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2008.

NOTARY PUBLIC, STATE OF TEXAS

REPLAT

LOTS 5-15, 17-20 BLOCK K

OUT OF
BETHANY RIDGE ESTATES II PHASE B

OUT OF THE
JOHN SNIDER SURVEY ABSTRACT NO. 848

IN THE
CITY OF ALLEN
COLLIN COUNTY, TEXAS

PREPARED BY
CORWIN ENGINEERING, INC.

200 W. BELMONT, SUITE E
ALLEN, TEXAS 75013
972-396-1200

JULY 2008

OWNERS

ROBERT McHARGUE
1300 CASSANDRA LANE
ALLEN, TEXAS 75002
214-383-7423

CHRISTIAN COOK
1302 CASSANDRA LANE
ALLEN, TEXAS 75002
214-495-0688

DANIEL YARBROUGH
1304 CASSANDRA LANE
ALLEN, TEXAS 75002
972-727-8205

CAROL MORRIS
1306 CASSANDRA LANE
ALLEN, TEXAS 75002
214-383-4703

MARK NEWCOME
1308 CASSANDRA LANE
ALLEN, TEXAS 75002
972-747-9866

JAMES MUMFORD
1310 CASSANDRA LANE
ALLEN, TEXAS 75002
972-390-8198

RON RILEY
1312 CASSANDRA LANE
ALLEN, TEXAS 75002
214-383-1128

JAY JERSHIN
908 ASHLEY LANE
ALLEN, TEXAS 75002
972-396-1149

LONNY HEINRICH
1314 CASSANDRA LANE
ALLEN, TEXAS 75002
972-396-5313

STEVEN SUMERFELT
1316 CASSANDRA LANE
ALLEN, TEXAS 75002
214-547-0012

TINA MARBLE
1318 CASSANDRA LANE
ALLEN, TEXAS 75002
214-547-7783

THOMAS KURUVILLA
1322 CASSANDRA LANE
ALLEN, TEXAS 75002
214-495-7992

DAVID KRAUS
1324 CASSANDRA LANE
ALLEN, TEXAS 75002
214-676-8690

HOLDEN SALISBURY
1326 CASSANDRA LANE
ALLEN, TEXAS 75002
214-533-7431

BRAD GREENE
1328 CASSANDRA LANE
ALLEN, TEXAS 75002
972-567-3791

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
--

AGENDA DATE:

October 21, 2008

SUBJECT:

Conduct a Public Hearing and consider an amendment to the Development Regulations to permit self storage as an accessory use and to adopt a concept plan on Tract 5 of PD Planned Development No. 58 for SC Shopping Center, for the Appleseed Project. The property is 14.48± acres situated in the Henry Wetsel Survey, Abstract No. 1026, Collin County, City of Allen, Texas; located at the northwest corner of Greenville Avenue and Exchange Parkway.

STAFF RESOURCE:

Ogden “Bo” Bass, AICP
Director, Planning & Development

PREVIOUS BOARD/COUNCIL ACTION:**BACKGROUND**

The property is located at the northwest corner of Greenville Avenue and Exchange Parkway. The property to the north of the subject site is zoned SC Shopping Center, and R-7 Residential. The property to the west is zoned PD Planned Development No. 58 for MF Multi-Family. The property to the south, across Exchange Parkway, is zoned PD Planned Development No. 58 for CF Community Facilities. The property located to the east, across Greenville Avenue, is zoned SC Shopping Center, and R-7 Residential.

The Appleseed project is a mixed use building that contains retail lease space, office space and storage space. The primary purpose is to offer retail and office space for small and start-up businesses. The storage space is partially allocated to the retail and office businesses operating in the building, and part of the storage space would be leased to the public. Because the leasable storage space is only a portion of the building it would be considered an accessory use versus a primary use. Planned Development No. 58 (PD#58) zoning does not permit self-storage, therefore, the applicant’s request is to amend PD#58 to allow self-storage as an accessory use. The storage space is placed wholly within the building with internal access only; therefore, no storage doors are located on the exterior of the building.

A concept plan has also been provided for consideration. The Appleseed project building and site improvements are located on the corner lot with a bank proposed immediately to the west on Exchange. These are the only two projects under consideration at this time. The rest of the tract is planned for additional retail uses although specific users have not been identified. The Appleseed building has been located 300 feet from land owned by the Allen Independent School District (AISD) across Exchange to permit businesses that may want to sell alcohol the opportunity to do so. The Allen Land Development Code (ALDC) distance requirement of 300’ is measured from the property line of school owned land to the leasehold line of a lease space desiring to sell alcohol.

The applicant has requested that this submittal also be considered as the General Development Plan. The submittal meets all the requirements for a GDP.

This item was tabled so the applicant could provide additional information for the proposed development. The applicant has provided a revised Concept Plan with elevations indicating a reduction in building height and mass. The applicant has indicated to staff that the storage portion of the building area will be less than 50% of the total building area and, further, that no more than 50% of the storage space will be available for lease by the general public.

STAFF RECOMMENDATION

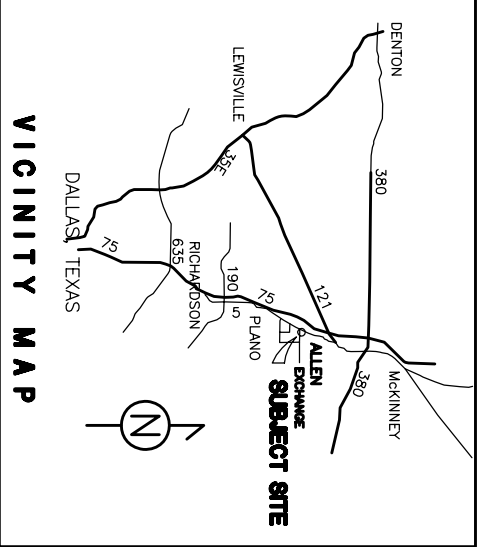
Staff recommends approval contingent on the following:

1. The PD Amendment allows no more than 50% of the self-storage area to be leased for general public use.
2. Attachment to the PD Amendment of the list of items prohibited in the self-storage units as submitted by the applicant.

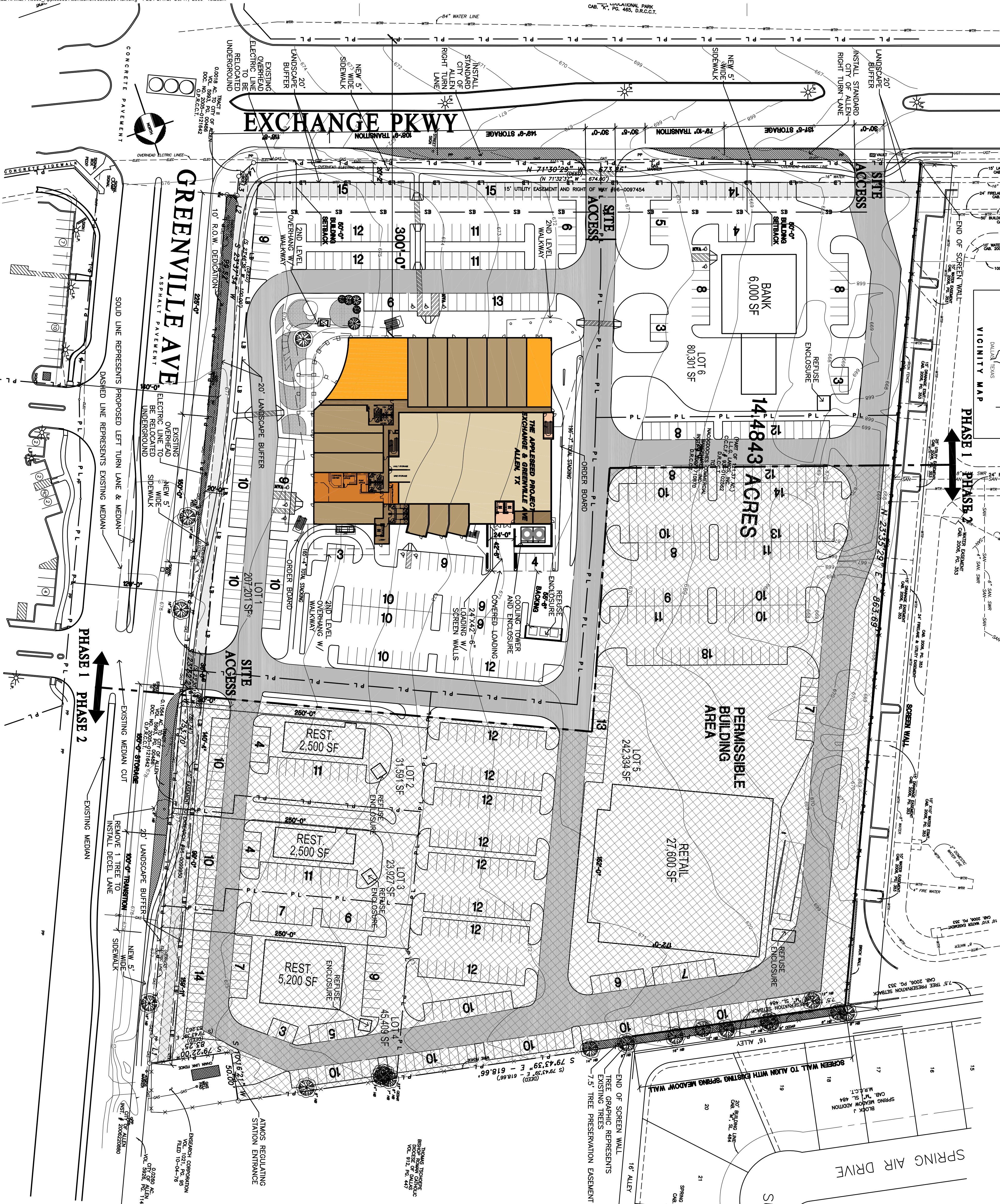
ATTACHMENTS

Elevations
Concept Plan

SITE TABULATIONS - ALLEN TEXAS									
UPDATED ON 10.17.08									
LOT	LOT ACREAGE	LOT SQUARE FOOTAGE	BUILDING TOTAL SQUARE FOOTAGE	FIRST FLOOR SQUARE FOOTAGE	F.A.R.	PER LOT	COVERAGE	PARKING REQUIRED	
					1.1-25			RETAIL	RESTAURANT
1 MULTI-USE	4.757	207,201 SF	110,206 SF	44,431 SF	53.19%	23.41%		SEE BUILDING TABULATION CHART FOR PARKING	BANK
2 RESTAURANT	0.725	31,591 SF	2,500 SF	2,500 SF	7.91%	7.91%	25	25	25
3 RESTAURANT	0.949	23,927 SF	2,500 SF	2,500 SF	10.45%	10.45%	25	25	25
4 RESTAURANT	1.942	45,409 SF	5,200 SF	5,200 SF	11.45%	11.45%	52	52	52
5 RETAIL	5.553	242,334 SF	27,600 SF	27,600 SF	11.39%	11.39%	138	138	237
6 BANK	1.843	80,301 SF	6,000 SF	6,000 SF	7.47%	7.47%	20	20	53
TOTAL	14.480	630,763 SF	154,006 SF	88,231 SF	24.42%	13.99%	484		626



PHASE 1 PHASE 2



USE AND PARKING TABLE

THE APPLESEED PROJECT					
PLAN	PROPOSED USES	SQ. FT. (NET)	SQ. FT. (GROSS)	PARKING RATIOS	REQUIRED PARKING
ALLEN					
SITE AREA	(SF)		207,201		
BUILDING AREA	(ACRES)		4.757		
2ND FLOOR	RETAIL/OFFICE LOFT	1,259	200		6.3
	STORAGE	16,215	10,000		1.6
	COMMON AREA (STORING)	12,833			
TOTAL		18,215			
1ST FLOOR	2ND FLOOR GROSS SF	18,215			
	RETAIL	14,355	200		71.8
	RETAIL/OFFICE LOFT	1,913	200		9.6
	RESTAURANT	1,913	200		59.7
	STORAGE	12,653	10,000		1.5
	RETAIL (BUSINESS CENTER)	12,653	200		10.9
	COMMON AREA (STORAGE)	711			
	COMMON AREA	3,827			
	RESTAURANT (OUTDOOR PATIO)	1,000	100		10.0
TOTAL		44,944			
3RD FLOOR	1ST FLOOR GROSS SF	44,944			
	OFFICE (EXECUTIVE)	6,155	300		20.7
	OFFICE (INCUBATOR)	6,728	300		29.1
	STORAGE	23,594	10,000		3.0
	COMMON AREA (STORING)	29,917			
	COMMON AREA	1,335			
TOTAL		46,893			
3RD FLOOR GROSS SF		47,550			
FAR		0.531			
TOTAL GROSS BUILDING SF		110,052			224
TOTAL GLA SF		110,052			
TOTAL GLA & PARKING PER USE					
		SQ. FT. (NET)	SQ. FT. (GROSS)	PARKING RATIOS	PARKING SPACES REQUIRED
Retail			14,355	200	71.8
Restaurant			5,972	100	59.7
STORAGE	NET = 80% OF GROSS	48,979	61,224	10,000	6.1
Retail (Business Center)			2,050	200	10.5
Office (Executive)			6,155	300	20.7
Retail/Office Loft			3,172	200	15.9
Office (Incubator)			6,728	300	29.1
Common Area (Storing)	Common Area (Storing)		6,152	0	6.1
Common Area (Storing)	Common Area (Storing)		2,584	0	2.6
Restaurant (Outdoor Patio)			1,000	100	10.0
PARKING PROVIDED			455	110,052	224
TOTALS					

1. THE NET SQUARE FOOTAGE OF (STORAGE) IS 48,979 S.F. AND = 45% OF THE TOTAL BUILDING SQUARE FOOTAGE OF 109,665 S.F.

2. USE AND PARKING TABLE ARE BASED ON GROSS SQUARE FOOTAGE.

3. STORAGE (NET REVENUE) = 80% OF GROSS STORAGE SQUARE FOOTAGE.

4. REFER TO LETTER OF INTENT (L.O.I.) FOR ADDITIONAL INFO.



SALVO REAL ESTATE SOLUTIONS
CONTACT: Craig A. Pincine
Occidental Tower
5005 LBJ Freeway, Suite 840
Dallas, Texas 75244
Phone-972-331-2065
Fax-972-331-0020

DATE	DESCRIPTION
08.07.08	PROGRESS P.D.F.
08.11.08	MARKETING G.D.P.
08.14.08	G.D.P. REVIEW
08.21.08	G.D.P. REVIEW
09.04.08	G.D.P. TO CITY
09.19.08	G.D.P. TO CITY
09.26.08	PD SUBMITTAL
10.17.08	PD SUBMITTAL

REGISTERED SEAL:



Confidentiality Note:
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PROJECT # : 0836
PROJECT MANAGER : WW

BUILDING
ELEVATIONS

03 NORTH ELEVATION
SCALE: 3/32" = 1'-0"

RETAIL LEASE 1ST FLR
OFFICE LEASE 2ND

RETAIL LOFTS 1ST/2ND FLRS
STORING 3RD FLR

SCREEN WALL AT
COOLING TOWERS
AWNING AT
LOADING AREA
COVERED
LOADING
EXIT STAIR

30'-0"
MAX ROOF HEIGHT
33'-0"
PARAPET
42'-0"
BEYOND

45'-0"
STAIR TOWER

PREVIOUS PROPOSED BUILDING
HEIGHT/PARAPET/ARCHITECTURAL ELEMENTS

EXIT
STAIR

PREVIOUS PROPOSED BUILDING
HEIGHT/PARAPET/ARCHITECTURAL ELEMENTS

PREVIOUS PROPOSED BUILDING
HEIGHT/PARAPET/ARCHITECTURAL ELEMENTS

04 WEST ELEVATION
SCALE: 3/32" = 1'-0"

SCREEN WALL AT
COOLING TOWERS
AWNING AT
LOADING AREA

STORING
(3 FLOORS)

RETAIL LEASE 1ST FLR
STORING LEASE 2ND FLR

AWNING AT
DRIVE-THRU

30'-0"
MAX ROOF HEIGHT
33'-0"
PARAPET
40'-0"
ARCHITECTURAL ELEMENT
42'-0"
BEYOND

BUILDING ELEVATIONS