



**AGENDA  
PLANNING AND ZONING  
COMMISSION**

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**REGULAR MEETING – 7:00 P.M.  
TUESDAY, JULY 21, 2009  
ALLEN CITY HALL – COUNCIL CHAMBERS  
305 CENTURY PARKWAY  
ALLEN, TEXAS**

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

**Pledge of Allegiance**

1. **Directors Report:** Action taken on the Planning & Zoning items by City Council at the July 14, 2009 City Council meeting.

**Consent Agenda**

2. Approve minutes of the July 7, 2009 meeting.
3. Final Plat – Consider a Final Plat for Greenville Center Addition, Lots 5 – 7, Block A, for Whataburger. The property is 5.0607± acres located southwest of Stacy Road and SH5. FP-6/15/09-45
4. Final Plat – Consider a Final Plat for Lot 1, Block 1, TXDC2. The property is 34.0± acres located northeast of Stacy Road and Chelsea Boulevard. FP-6/26/09-51

**Regular Agenda**

5. Public Hearing – Conduct a Public Hearing and consider a request to change the zoning for 6.962± acres out of PD Planned Development No. 6 for SC Shopping Center to CF Community Facilities to allow for a church. The property is 6.962± acres located in Fountain Park #01, Lots 1A and 1B; located at the northeast corner of Greenville Ave. and Rivercrest Blvd. Z-6/9/09-43

**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, July 17, 2009, at 5:00 p.m.

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Shelley B. George, City Secretary

305 Century Parkway • Allen, Texas 75013  
214-509-4100 • FAX 214-509-4590  
EMAIL: [coa@cityofallen.org](mailto:coa@cityofallen.org) WEBSITE: [www.cityofallen.org](http://www.cityofallen.org)

### **Director's Report from 7/14/09 City Council Meeting**

There was one item taken to the July 14, 2009 City Council meeting for consideration. A public hearing was held and an ordinance amending Article VII, Section 7.03.5, Utility Services and Article VIII, Section 8.10, Extensions of Water and Wastewater Mains, Subsection 4. Underground Utilities was adopted by the City Council.



**PLANNING AND ZONING  
COMMISSION**

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**Regular Meeting  
July 7, 2009**

**ATTENDANCE:**

**Commissioners Present:**

Jeff Cocking  
Douglas Dreggors  
Alan Grimes  
Marcelle Jones  
Shirley Mangrum  
James Rushing  
Robert Wendland

**Commissioners Absent:**

None

**City Staff Present:**

Ogden "Bo" Bass, AICP, Director of Planning & Development  
Chris Flanigan, P.E., Assistant Director of Engineering  
Helen-Eve Liebman, Senior Planner  
Kevin Laughlin, Attorney

**Call to Order and Announce a Quorum is Present:**

With a quorum of the Commissioners present, Chairman Wendland called the meeting to order at 7:00 p.m. in the City Hall Council Chambers at Allen City Hall, 305 Century Parkway.

**Director's Report**

1. Director's Report is attached for action taken on the Planning & Zoning items by City Council at the 6/09/09 City Council meeting.

Director's Report is attached for action taken on the Planning & Zoning items by City Council at the 6/23/09 City Council meeting.

**Consent Agenda**

6. Approve minutes of the June 2, 2009 meeting.
7. Final Plat – Consider a Final Plat for Morgan Crossing, Phase 3, Lots 1-22 Block A and Lots 1-35 Block B, being 14.864± acres located at the southwest corner of Angel Parkway and Chaparral Drive. (Z-6/30/08-74)

**Motion:** Upon a motion by Commissioner Grimes, and a second by Commissioner Rushing, the Commission voted 7 IN FAVOR, and 0 OPPOSED, to approve the Consent Agenda. The motion carried.

### **Regular Agenda**

**Agenda Item #4:** Public Hearing – Conduct a Public Hearing and consider amendments to the Allen Land Development Code Zoning Regulations and Subdivision Ordinance by amending the Allen Land Development Code Section 7.03.5, Utility Services, Section 8.10 Extensions of Water and Wastewater Mains, Subsection 4, Underground Utilities, to exclude the burial of existing overhead electrical, television, and telephone/telecommunications utilities. (Z-4/27/09-37)

Ogden “Bo” Bass, Director of Planning and Development, reviewed the previous presentations to the Planning and Zoning Commission and City Council on May 15, 2009 Planning & Zoning Commission Meeting, June 9, 2009 City Council, and June 16, 2009 a Joint Planning & Zoning Commission and City Council Workshop. The result of the discussions at the previous meetings provided direction to amend the Allen Land Development Code by clarifying the City of Allen’s policy of the requirement of overhead utilities to be placed underground at the time of development.

The pros and cons of the requirement were presented as a review from previous meetings.

The amendments proposed were the addition to Section 7.03.5. Utility Services

9. Existing overhead electrical, television, and/or telephone/telecommunication utilities located on the developing property or adjacent right-of-way shall be excluded from the requirement to be placed underground;

and the addition to Section 8.10. Extensions of Water & Wastewater Mains

j. Existing overhead electrical, television, and/or telephone/telecommunication utilities located on the developing property or adjacent right-of-way shall be excluded from the requirement to be placed underground.

Staff recommends approval.

Chairman Wendland opened the Public Hearing.

With no one wishing to speak, Chairman Wendland closed the Public Hearing.

Chairman Wendland stated that the amendments clarified the requirements and asked the Commission if there were any questions. There were no questions.

**Motion:** Upon a motion by Commissioner Grimes, and a second by Commissioner Rushing, the Commission voted 7 IN FAVOR, and 0 OPPOSED, to approve Item 4. The motion carried.

**Adjournment**

**Motion:        Upon a motion by Commissioner Dreggors and seconded by Chairman Wendland the Commission voted 7 IN FAVOR and 0 OPPOSED to adjourn the Planning and Zoning Commission meeting at 7:14 p.m.**

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

\_\_\_\_\_  
Robert Wendland, Chairman

\_\_\_\_\_  
Helen-Eve Liebman, Senior Planner

### **Director's Report from 6/09/09 City Council Meeting**

There was one item taken to the June 9, 2009 City Council meeting for consideration. The ALDC amendment clarifying the requirement to relocate overhead utility lines was presented to the Council and tabled until the July 14, 2009 meeting.

### **Director's Report from 6/23/09 City Council Meeting**

There was one item taken to the June 23, 2009 City Council meeting for consideration. The City Council conducted a Public Hearing and adopted an ordinance amending PD Planned Development 54, Tract 11, by changing the zoning from IT Industrial Technology to MF-18 Multi-family to allow for The Aspens at Twin Creeks adult senior community.

<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
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**AGENDA DATE:** July 21, 2009

**SUBJECT:** Consider a Final Plat for Greenville Center Addition, Lots 5-7, Block A, for Whataburger. The property is 5.0607± acres located southwest of Stacy Road and SH5.

**STAFF RESOURCE:** Tiffany McLeod  
Planner

**PREVIOUS COMMISSION/COUNCIL ACTION:** A General Development Plan was approved October, 2007, and a Preliminary Plat was approved February 5, 2008.

**BACKGROUND**

The property is located at the southwest corner of State Highway 5 and Stacy Road. The property to the north, across Stacy Road, is the Town of Fairview. The property to the east, across State Highway 5 is zoned SC Shopping Center; the property to the east is zoned CC Corridor Commercial, and R-6 Residential. The property to the south is also zoned R-6 Residential.

The plat meets all the standards of the Allen Land Development Code and is consistent with the General Development Plan and Preliminary Plat.

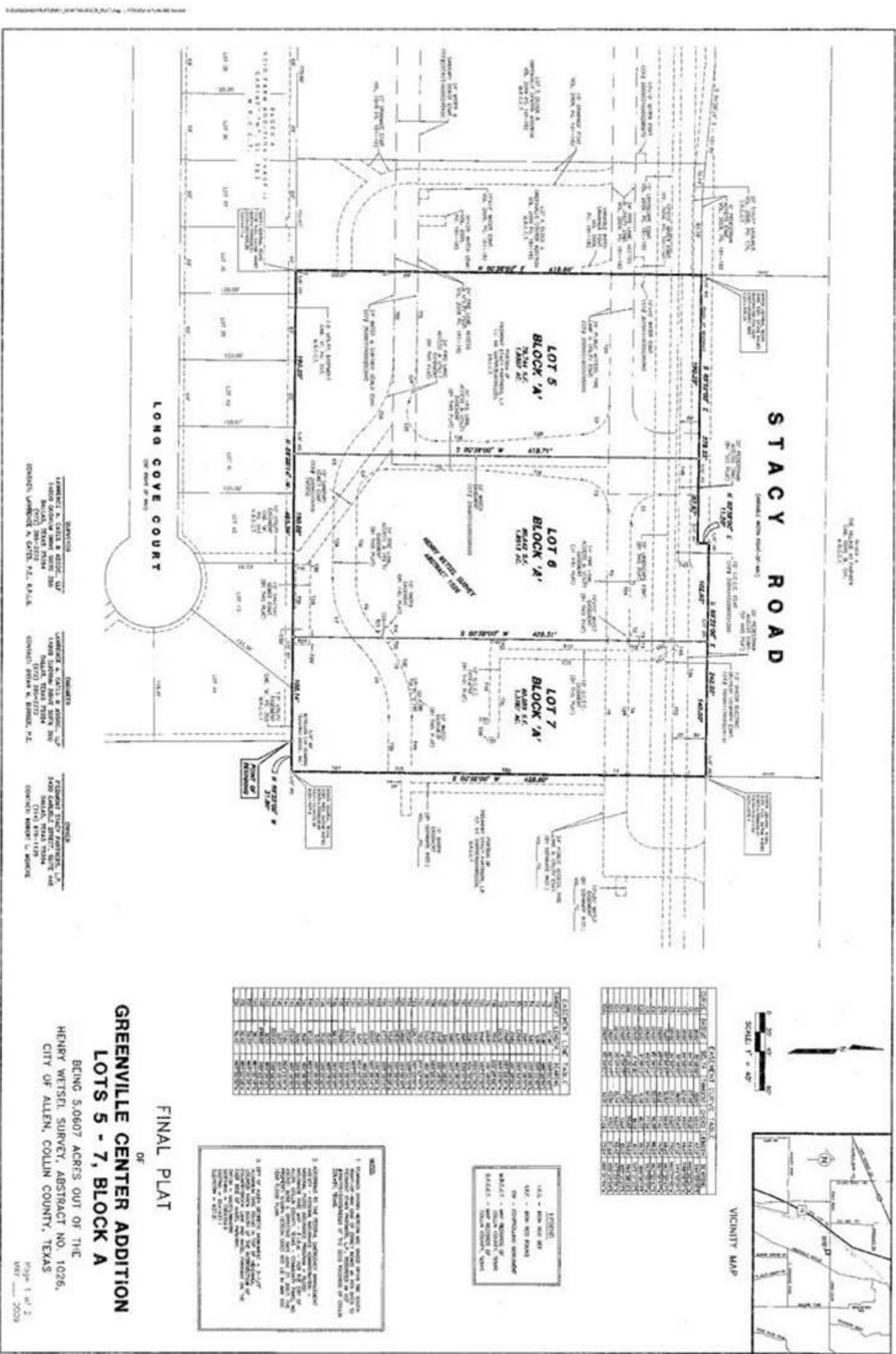
**STAFF RECOMMENDATION**

Approval

**ATTACHMENT**

Final Plat





Survey by  
J. M. Smith, Jr.  
Survey No. 1026

# STACY ROAD

## LONG COVE COURT

OWNER  
J. M. Smith, Jr.  
10000 Stacy Road, Suite 300  
Dallas, Texas 75244  
Survey No. 1026

OWNER  
J. M. Smith, Jr.  
10000 Stacy Road, Suite 300  
Dallas, Texas 75244  
Survey No. 1026

OWNER  
J. M. Smith, Jr.  
10000 Stacy Road, Suite 300  
Dallas, Texas 75244  
Survey No. 1026

0 20 40  
SCALE: 1" = 40'



VICINITY MAP

Lot	Area (sq. ft.)	Owner
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FINAL PLAT  
OF  
GREENVILLE CENTER ADDITION  
LOTS 5 - 7, BLOCK A  
BEING 5.0607 ACRES OUT OF THE  
HENRY WETSEL SURVEY, ABSTRACT NO. 1026,  
CITY OF ALLEN, COLLIN COUNTY, TEXAS

<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	July 21, 2009
<b>SUBJECT:</b>	Consider a request for a Final Plat for TxDC2, Lot 1, Block 1. The property is 34.0± acres located northeast of Stacy Road and Chelsea Boulevard.
<b>STAFF RESOURCE:</b>	Tiffany McLeod Planner
<b>PREVIOUS COMMISSION/ COUNCIL ACTION:</b>	Zoning amendment adopted by City Council May 12, 2009, and a Preliminary Plat was approved June 2, 2009.

### **BACKGROUND**

The property is located north of Stacy Road and east of Chelsea Boulevard. The property to the north is zoned AO Agriculture Open Space, the property to the east is zoned CC Corridor Commercial; the property to the south is zoned PD Planned Development No. 78 for CC Corridor Commercial; the property to the west, across Chelsea Blvd., is zoned PD Planned Development No. 92 for R7 Residential and SC Shopping Center; the property northwest of the subject property is zoned PD Planned Development No. 36 for IT Industrial Technology.

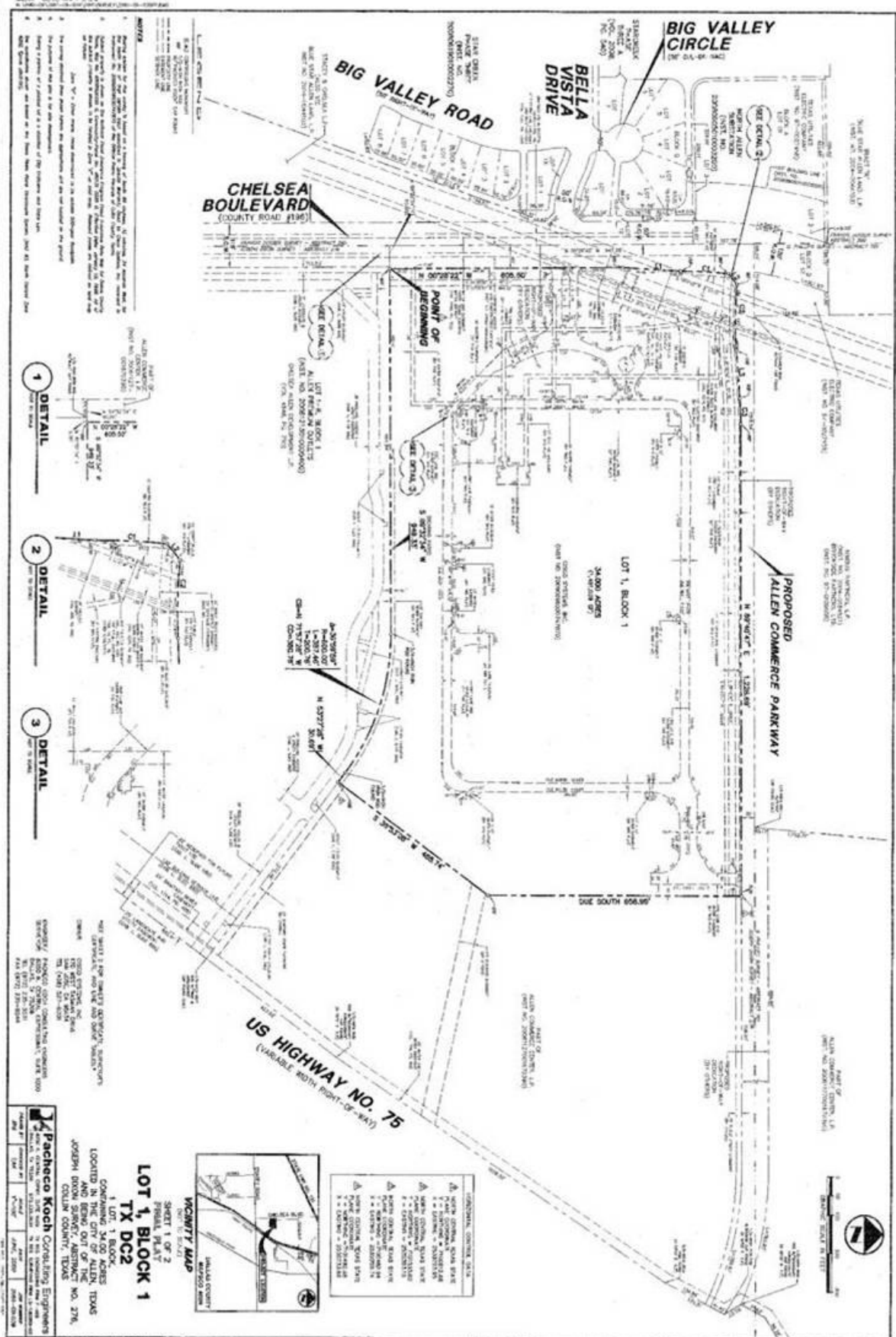
The plat meets all the standards of the Allen Land Development Code and is consistent with the Concept Plan for the PD and the Preliminary Plat.

### **STAFF RECOMMENDATION**

Approval

### **ATTACHMENTS**

Final Plat



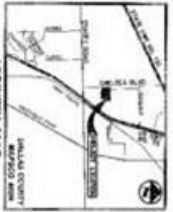
1 DETAIL

2 DETAIL

3 DETAIL

**Pacheco Koch Consulting Engineers**  
10000 N. Loop West, Suite 1000  
Houston, Texas 77037  
Tel: 713.261.1111  
Fax: 713.261.1112  
www.pacheco-koch.com

**LOT 1, BLOCK 1, TX DC2**  
SHEET 1 OF 2  
PRELIM PLAT  
LOCATED IN THE CITY OF ALLEN, TEXAS  
AND BEING OUT OF THE  
CITY OF ALLEN, TEXAS



- 1. LOT 1, BLOCK 1, TX DC2
- 2. LOT 2, BLOCK 1, TX DC2
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<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
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**AGENDA DATE:** July 21, 2009

**SUBJECT:** Conduct a Public Hearing and consider a request to change the zoning for 6.962± acres out of PD Planned Development No. 6 for SC Shopping Center to CF Community Facilities to allow for a church. The property is 6.962± acres located in Fountain Park #01, Lots 1A and 1B; located at the northeast corner of Greenville Ave. and Rivercrest Blvd.

**STAFF RESOURCE:** Helen-Eve Liebman  
Senior Planner

**PREVIOUS BOARD/  
COUNCIL ACTION:** None

**PUBLIC NOTICE:** Property Owner Notices Mailed: 7/10/09  
Public Hearing Sign Installed: 7/10/09

**BACKGROUND**

The property is located east of Greenville Avenue and north of Rivercrest Boulevard. The property to the north and east is zoned PD Planned Development 1 for R-5 residential uses. The property to the south is zoned PD Planned Development 6 for SC Shopping Center uses. The property to the west, across Greenville Avenue is zoned CF and is the Allen High School.

The applicant, Bethany Worship Center, is proposing to rezone the property from PD Planned Development 6 for Shopping Center to CF Community Facilities to allow for a church. As practice, the City of Allen prefers not to rezone shopping center zoning to a less intense district, however the site is adjacent to Allen Independent School District (AISD) property and is not necessarily considered desirable to various restaurant users or convenience services that may want to sell alcohol. The site also includes a number of existing trees and the mitigation fees associated with developing the site as a shopping center may have seemed financially challenging. The placement of shopping center zoning in a location referred to as “mid block”, a substantial distance from major thoroughfare intersections, impacts the location’s reduced attractiveness for a shopping center. Based on the location and surrounding land uses a church use is appropriate for this property.

The submission of a Land Use Plan as required for a straight district zoning application (not a PD Planned Development) is included in this communication for your general understanding of how the site may be developed. There are no special development regulations included in the request and the applicant has been advised of required compliance with the Allen Land Development Code.

**STAFF RECOMMENDATION**

Staff recommends approval

## **ATTACHMENTS**

Location Map

Land Use Plan

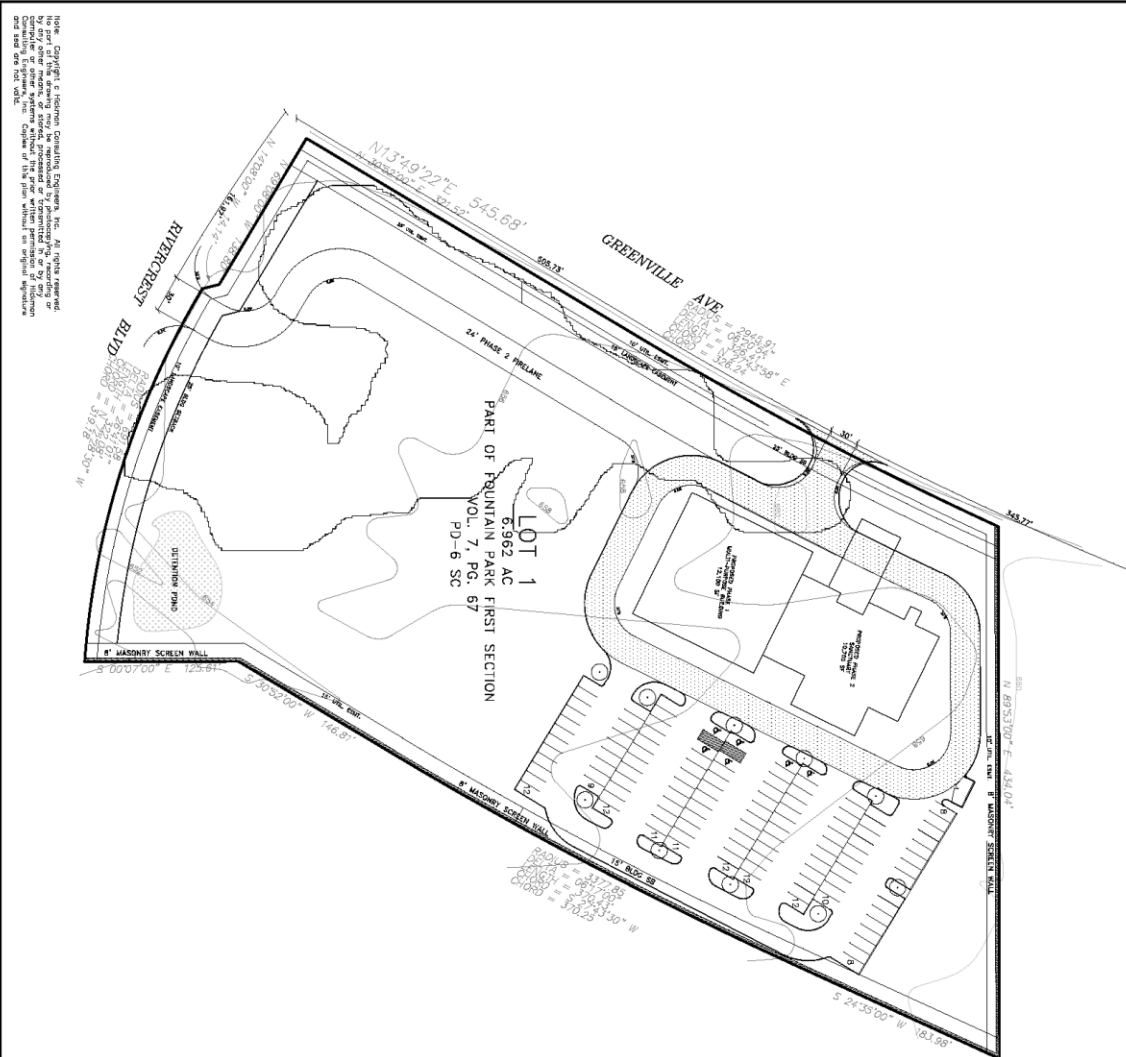
Property Notice

Property Ownership Notification Map

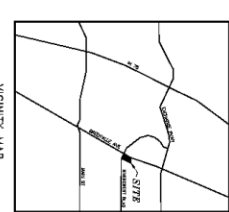


# Location Map





THESE PLANS AND SPECIFICATIONS ARE PREPARED BY THE ENGINEER FOR THE ARCHITECT'S USE ONLY. THE ARCHITECT IS RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS AND SPECIFICATIONS. NO OTHER WORK IS TO BE DONE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.



LEGEND	
	8' MASONRY SCREEN WALL
	FIRE LANE
	TREE MASSES



Scale 1" = 40'

SITE SUMMARY - PHASE 1	
PROPOSED USE	CHURCH
LOT AREA	6.962 AC. (243,245 SF)
BUILDING AREA TOTAL	12,100 SF (SPRINKLERED)
BUILDING HEIGHT (1-STORY)	20'
REQUIRED TOTAL	117 SPACES
1/2 STAIRS	
PROPOSED TOTAL	117 SPACES
117 SECS & 1/2	
LANDSCAPING	
SET LANDSCAPE PLAN	
LANDSCAPING COVER	30% (107,236 SF)
LOT COVERAGELAND	48% (12,100 SF) 0.541

SITE SUMMARY - PHASE 2	
PROPOSED USE	CHURCH
LOT AREA	6.962 AC. (243,245 SF)
BUILDING AREA TOTAL	12,100 SF (SPRINKLERED)
BUILDING HEIGHT (1-STORY)	20'
REQUIRED TOTAL	117 SPACES
300 SEATS	
PROPOSED TOTAL	117 SPACES
117 SECS & 1/2	
LANDSCAPING	
SET LANDSCAPE PLAN	
LANDSCAPING COVER	30% (107,236 SF)
LOT COVERAGELAND	7.2% (22,800 SF) 0.0721

- NOTES:
1. ALL UTILITIES SHOWN HEREIN ARE BASED ON RECORD PLANS AND FIELD SURVEY. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND NO OBSTRUCTIONS TO THE PROPOSED DEVELOPMENT.
  2. DRAINAGE PLOTS SHALL BE DESIGNED AS AN ADJUNCT.

**FLOOD PLAN NOTE:**  
ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) PANEL 17040C01, THE SUBJECT TRACT APPEARS TO BE OUTSIDE THE 100-YEAR FLOOD ZONE.

**PRELIMINARY - NOT FOR CONSTRUCTION**  
This document is released for the purpose of providing information only. It is not to be used for construction or any other purpose without the written consent of the engineer.

**LAND USE PLAN**  
BETHANY WORSHIP CENTER  
6.962 AC  
ALLEN, TEXAS  
BETHANY WORSHIP CENTER  
BETHANY WORSHIP CENTER, INC.  
ALLEN, TX 75013-8042  
757.477.3000

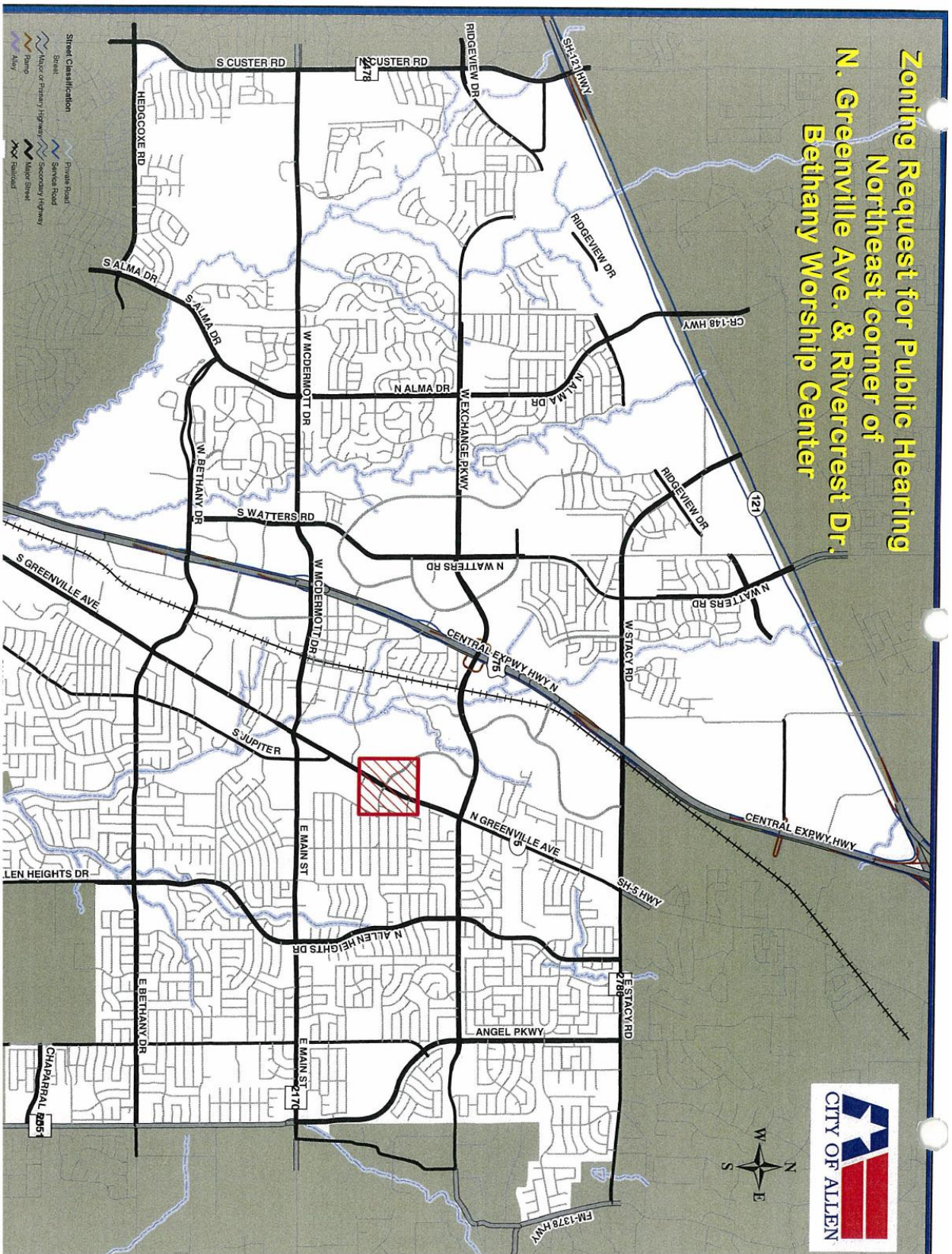
REVISION	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	06/18/2009	MMH

**LAND USE PLAN**  
BETHANY WORSHIP CENTER  
ALLEN, TEXAS  
BETHANY WORSHIP CENTER  
P.O. BOX 1776  
ALLEN, TX 75013-8042

**HCE Hickman Consulting Engineers, Inc.**  
5440 State Highway 78 South  
P.O. Box 90  
Copperville, Texas 76121  
(972) 487-1888 • (972) 780-8864 fax  
mark@hickmanconsulting.com  
Engineers - Planners



# **Zoning Request for Public Hearing** **Northeast corner of** **N. Greenville Ave. & Rivercrest Dr.** **Bethany Worship Center**



**Street Classification**

- Street
- Private Road
- Major or Primary Highway
- Secondary Highway
- Artery
- Minor Street
- Alley
- Right-of-Way





NOTICE OF PUBLIC HEARING TO  
PROPERTY OWNER WITHIN 200 FEET OF PROPERTY  
SUBJECT TO PROPOSED ZONING CHANGE  
ZONING CASE Z-6/9/09-43 (Bethany Worship Center)

The Allen Planning & Zoning Commission will conduct a public hearing on July 21, 2009, at 7:00 p.m. in the Allen City Hall Council Chambers, 305 Century Parkway, Allen, Texas, to consider the zoning case as described below:

- The property is 6.962± acres in Fountain Park #01, Lots 1A and 1B; located at the northeast corner of Greenville Ave. and Rivercrest Blvd.

**CURRENT ZONING:** The property is currently zoned PD Planned Development No. 6 for SC Shopping Center.

**REQUESTED ZONING:** The request is to change the zoning for 6.962± acres out of PD Planned Development No. 6 for SC Shopping Center to CF Community Facilities to allow for a church.

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According to the current Collin County tax records, you are the owner of property within 200 feet of the property which is the subject of the proposed zoning change case. The meeting shown above is open to the public, and you will have the right to speak for or against the proposed zoning change during the public hearing portion of the meeting. You may also register your opinion by returning this form to the Department of Planning & Development, 305 Century Parkway, Allen Texas, 75013 or by fax at (214) 509-4179.

The Planning & Zoning Commission forwards its recommendations for any zoning change to the City Council after conducting a public hearing. Cases recommended for approval are automatically scheduled for a public hearing before the City Council. Cases recommended for denial may be appealed by the applicant within thirty (30) days. At that time a hearing will be scheduled before the City Council.

You may contact the Planning Department, 305 Century Parkway, Allen, Texas, 75013 for additional information, or contact Helen-Eve Liebman at 214-509-4172, or e-mail at [hliebman@cityofallen.org](mailto:hliebman@cityofallen.org)

✂ Cut here

ZONING CASE Z- 6/9/09-43 (Bethany Worship Center)

**Members of the Planning & Zoning Commission:**

I, \_\_\_\_\_, with property located at \_\_\_\_\_, Allen, Texas  
(NAME) (ADDRESS)

\_\_\_ Support

\_\_\_ Oppose

The proposed zoning changes for the following reasons:

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SIGNATURE

DATE



BETANY WORKS-UP CENTER  
Property Ownership Notification

#### Map Legend

- Police
- Building Work in Progress
- City Limit
- Property Boundary



Planning & Development - 311  
Website: 311.alldes.com



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