

**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING – 7:00 P.M.
TUESDAY, SEPTEMBER 15, 2009
COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TEXAS 75013**

Call to Order and Announce a Quorum is Present

Pledge of Allegiance

Director's Report

1. Action taken on the Planning & Zoning items by City Council at the September 8, 2009 City Council 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 of the September 1, 2009 meeting.
3. Final Plat – Consider a request for a Final Plat for Allen Fire Station No. 5, Lot 1, Block A, being 2.8032± acres located at the northwest corner of McDermott Drive and the future Shallowater Drive. (FP-8/10/09-62)
4. Final Plat – Consider a request for a Final Plat for Racetrac No. 863 – Bethany Center II, Lot 1, Block 1, being 2.295± acres located north of Bethany Drive and west of Greenville Avenue. (FP-6/26/09-50)

Regular Agenda

5. General Development Plan – Consider a request for a General Development Plan for Walmart Supercenter, being 36.218± acres located at the northwest corner of US75 and Exchange Parkway. (GDP-7/13/09-52)

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, September 11, 2009, at 5:00 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.

Director's Report from 9/08/09 City Council Meeting

There were no items taken to the September 8, 2009 City Council meeting for consideration.



**PLANNING AND ZONING
COMMISSION**

**Regular Meeting
September 1, 2009**

ATTENDANCE:

Commissioners Present:

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

Commissioners Absent:

Marcelle Jones

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
Tiffany McLeod, Planner

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 August 25, 2009 City Council meeting.

Consent Agenda

2. Approve minutes of the August 18, 2009 meeting.

Motion: Upon a motion by Commissioner Grimes, and a second by Commissioner Rushing, the Commission voted 6 IN FAVOR, and 0 OPPOSED, to approve the Consent Agenda. The motion carried.

Regular Agenda

Agenda Item #3: Public Hearing – Conduct a Public Hearing and consider amendments to the Future Land Use Plan of the 2002-2022 Comprehensive Plan.

Lee Battle, Assistant Director of Planning and Development presented to the Commission.

The Future Land Use Plan (FLUP) is the City's guide for future development. The current FLUP was adopted in 2003 as part of the City's 2002 – 2022 Comprehensive Plan. Over time development of properties and changing trends and priorities create the need to update and refine the FLUP.

The largest changes are for the properties along the State Highway 121 corridor and along US 75 between Stacy Road and State Highway 121. The development of these properties will define Allen's future.

The FLUP is not a code or regulation. The Allen Land Development Code requires that zoning requests and development plans be in compliance with the Comprehensive Plan. These modifications to the FLUP will provide better guidance to property owners and developers and provide staff with an important tool for ensuring that future development in this area reflects the City's vision.

Chairman Wendland opened the Public Hearing.

Barry Knight, 5400 Renaissance Tower, Dallas, spoke to the Commission. As a representative of the Petefish family he requested that the Petefish property (along US 75 between Stacy Road and State Highway 121) remain unchanged.

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

Commissioner Mangrum questioned whether the commercial zoning along the US 75 corridor should be amended. Mr. Battle stated that the recommended reduction is due to the amount of commercial that already exists in Allen. There is a question on how much commercial development there should be.

Commissioner Cocking asked for the reason it is being proposed to move away from residential zoning, south of Ridgeview Drive, to mixed-use zoning. Lee Battle stated that whatever develops on that property will go through a zoning process. The mixed-use zoning does not mean heavy commercial. However it does take advantage of the Arts of Collin County site. Staff is aware that what goes on that property will have to fit the surrounding area.

Commissioner Cocking also asked if the O/IT zoning along US 75 is a realistic projection. Mr. Battle stated that based on discussion and interaction with the AEDC there seems to be an interest and trend in that direction.

Motion: Upon a motion by Commissioner Rushing, and a second by Commissioner Dreggors, the Commission voted 5 IN FAVOR, and 1 OPPOSED, to recommend approval of Item 3 as presented. The motion carried.

Other Business

Agenda Item #4: Certificate of Achievement for Planning Excellence from the Texas Chapter of the American Planning Association.

Lee Battle, Assistant Director of Planning and Development, presented the award to the Commission. The Texas Chapter of the American Planning Association has awarded the City of Allen the "Certificate of Achievement for Planning Excellence" for 2009. Allen is one of only nineteen 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 seventh year that the City of Allen has received this award.

Adjournment

Motion: Upon a motion by Commissioner Dreggors and a second by Commissioner Mangrum the Commission voted 6 IN FAVOR and 0 OPPOSED to adjourn the Planning and Zoning Commission meeting at 7:49 p.m.

These minutes approved this _____ day of _____ 2009.

Robert Wendland, Chairman

Tiffany McLeod, Planner

Director's Report from 8/25/09 City Council Meeting

There were two items taken to the August 25, 2009 City Council meeting for consideration.

A request for SUP Specific Use Permit No. 108 for an Assisted Living Facility on 7.44± acres located north of Prestige Circle and west of Greenville Avenue, currently zoned PD Planned Development No. 3 for MF-12 Multifamily uses, was approved by the City Council.

A request for a change in zoning to amend PD Planned Development No. 55, Tract 2, for Retirement Center/Garden Office uses, to allow for a side yard setback of 12.5' along the northern property boundary on 0.582± acres located at the Woods at Watters Road was approved by the City Council.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:

September 15, 2009

SUBJECT:

Consider a request for a Final Plat for Allen Fire Station No. 5, Lot 1, Block A, being 2.8032± acres; located at the northwest corner of McDermott Drive and the future Shallowater Drive.

STAFF RESOURCE:

Tiffany McLeod
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Zoning amendment approved April, 2008.

BACKGROUND

The property is located northwest of McDermott Drive and the future extension of Shallowater Drive. The property to the east is zoned PD Planned Development No. 97 for R7 Residential. The property to the north and west are zoned AO Agriculture Open Space; the property to the south, across McDermott Drive, is zoned AO Agriculture Open Space, and PD Planned Development No. 56 for SF Single Family residential.

It is the City's practice to plat municipal property as it develops. This final plat is for the City of Allen's Fire Station #5 site.

STAFF RECOMMENDATION

Approval

ATTACHMENTS

Final plat

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: September 15, 2009

SUBJECT: Consider a Final Plat for Racetrac No. 863, Bethany Center II, Lot 1, Block 1, being 2.295± acres located north of Bethany Drive and west of Greenville Avenue.

STAFF RESOURCE: Tiffany McLeod
Planner

**PREVIOUS BOARD/
COUNCIL ACTION:** A General Development Plan was approved in March, 2009 and a Preliminary Plat was approved in April, 2009.

BACKGROUND

The property is located west of Greenville Avenue and north of Bethany Drive. The property to the east and north is zoned PD Planned Development No. 3 for SC Shopping Center uses. The property to the west is zoned PD Planned Development No. 3 for LI Light Industrial Uses. The property to the south, across Bethany Drive, is zoned LI Light Industrial.

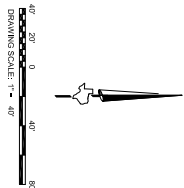
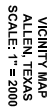
The plat meets all the standards of the Allen Land Development Code and is consistent with the General Development Plan and Preliminary Plat.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Final Plat



Douglas A. Mosley, R.P.L.S. No. 2789

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on the day personally appearing Douglas A. Mosley, known to me to be the person whose name is subscribed to the foregoing instrument and who has acknowledged to me that he executed the same for the purposes therein expressed, we both state that the statements and contents of the foregoing instrument are true.

WITNESS UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2009.

My commission expires _____

CCF NO. 96-0051225
DPBCT

[illegible]

KNOW ALL MEN BY THESE PRESENTS

[illegible]

By: RaceTrac Petroleum, Inc.

Author's Note: Please contact me with

STATE OF _____
COUNTY OF _____

known to me to be the person whose name is subscribed to the foregoing instrument

day of 2009.

Watershuttle to and from the photo

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Journal of Interpersonal Violence 30(1)

FINAL PLATON

LOT 1, BLOCK 1

RETURN TO ADOPTER IN TIME

WILLIAM PERRY SURVEY, A-708

CITY OF ALLEN TEXAS

SEPTEMBER 2009

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: September 15, 2009

SUBJECT: Consider a General Development Plan for Walmart Supercenter, being 36.218± acres located at the northwest corner of US75 and Exchange Parkway.

STAFF RESOURCE: Helen-Eve Liebman
Senior Planner

PREVIOUS BOARD/COUNCIL ACTION: The zoning was amended on the property (Tract 1, PD Planned Development No. 54) in July 1999 to provide for development regulations specific to the use of a Walmart Supercenter. A General Development Plan was approved in November 2006 and a Preliminary Plat was approved in April 2007.

BACKGROUND

This property is located at the northwest corner of US75 and Exchange Parkway and is zoned PD Planned Development 54 for CC Corridor Commercial and IT Industrial Technology uses. The property to the north is CC Corridor Commercial; the property to the west is PD Planned Development No. 54 for IT Industrial Technology; the property to the south, across Exchange Parkway is PD Planned Development No. 54 for CC Corridor Commercial; and the property to the east, across US75 is PD Planned Development No. 58 for SC Shopping Center, and PD Planned Development No. 45 for CC Corridor Commercial.

The previously approved General Development Plan GDP for the overall tract in which the Walmart Supercenter is planned for expired in 2007. The updated GDP illustrates a ±27.7 acre lot for the new Walmart Supercenter store and four peripheral lots to accommodate other corridor commercial sites. Walmart is currently processing a Site Plan through the Technical Review Committee (TRC) and anticipates a construction start date of late 2009.

Staff has worked with the applicant to ensure proper access and general site circulation for the overall site. The General Development Plan meets all of the requirements of the *Allen Land Development Code* and is consistent with the Concept Plan for the Planned Development.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

General Development Plan

