

**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING – 7:00 P.M.
TUESDAY, APRIL 20, 2010
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 April 13, 2010, 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 April 6, 2010 regular meeting.
3. Final Plat – Consider a Final Plat for Wal-Mart Supercenter, Lots 1, 2, 3, 4, and 5, Block A, being 36.218± acres situated in the L.K. Pegues Survey, Abstract No. 702, City of Allen, Texas; located at the northwest corner of US75 and Exchange Parkway. (FP-3/29/10-19)

Regular Agenda

4. Public Hearing/Replat – Conduct a Public Hearing and consider a Replat for McDermott Business Park, Lots 1 thru 5, Block A, being a Replat of Lots A, 4 and B, Block A, McDermott Business Park. The property is 3.0620± acres located south of McDermott Drive and Ash. (FP-3/29/10-18)

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, April 16, 2010, 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 4/13/10 City Council Meeting

There was one item taken to the April 13, 2010 City Council meeting for consideration.

Robert Wendland, Chair of the Planning and Zoning Commission presented a PowerPoint presentation to the Council reviewing the Planning and Zoning Commission activity over the past year.



**PLANNING AND ZONING
COMMISSION**

**Regular Meeting
April 6, 2010**

ATTENDANCE:

Commissioners Present:

Jeff Cocking
Douglas Dreggors
John Kelley
Shirley Mangrum
Steven Platt, Jr.
James Rushing
Robert Wendland

Commissioners Absent:

None

City Staff Present:

Ogden "Bo" Bass, AICP, Director of Planning & Development
Lee Battle, AICP, Assistant Director of Planning & Development
Chris Flanigan, Assistant Director of Engineering
Helen-Eve Liebman, AICP, Senior Planner
Tiffany McLeod, 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 March 23, 2010 City Council meeting.

Consent Agenda

2. Approve minutes of the March 16, 2010 meeting.

Motion: **Upon a motion by Commissioner Rushing, and a second by Commissioner Platt, the Commission voted 7 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 a request for an amendment to Tract 8 of PD Planned Development No. 55, to add Church, Temple or Rectory to the list of allowed uses. The property is 5.6± acres situated

in the Michael See Survey, Abstract No. 543; located southeast of Watters Road and Allen Central Drive. (Z-2/9/10-10)

Helen-Eve Liebman, Senior Planner, presented to the Commission. The Concept Plan for the property proposes a 23,400± square foot structure for worship with vehicular access from Allen Central Drive. Allen Central Drive is not planned to cross the creek and connect to US 75 Central Expressway. Parking requirements have been illustrated on the Concept Plan and are in compliance with the provisions outlined in the Allen Land Development Code. A 10 foot hike and bike trail has also been illustrated on the Concept Plan and is in accordance with the original Planned Development requirements and the City of Allen Trails Plan. There are no other proposed modifications to Tract 8 of Planned Development No. 55.

Staff recommends approval.

Chairman Wendland opened the Public Hearing.

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

Commissioner Cocking asked about the maximum height of the building. Ms. Liebman stated the existing PD identifies the main structure being a maximum height of 45 ft. Additional setbacks allow an increase in height.

Commissioner Mangrum asked if the end of the street is wide enough for a truck to turn. Ms. Liebman answered yes. The truck turning radius requirements have been met.

Motion: Upon a motion by Commissioner Mangrum, and a second by Commissioner Rushing, the Commission voted 7 IN FAVOR, and 0 OPPOSED, to approve the request for an amendment to Tract 8 of PD Planned Development No. 55, to add Church, Temple or Rectory to the list of allowed uses.

The motion carried.

Agenda Item #4: Public Hearing - Conduct a Public Hearing and consider a request for an SUP Specific Use Permit for Allen Dance for a Dance Studio, on property currently zoned SC Shopping Center. The property is a part of 1.0± acres situated in the David Wetsel Survey, Abstract No. 977; located in the Eagle Plaza Shopping Center at 602 E. Main Street, Suite #E. (SUP-3/8/10-14)

Tiffany McLeod, Planner, presented to the Commission. The property is zoned SC Shopping Center. The proposed use for the lease space is a dance studio. In January 2010 the *Allen Land Development Code* was amended to require a Specific Use Permit (SUP) for assembly uses in various zoning districts; including the SC Shopping Center district. Under the amended code a gymnastics/dance studio use requires an SUP within the SC Shopping Center zoning district. There are no proposed changes to the site.

Staff recommends approval.

Chairman Wendland opened the Public Hearing.

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

Commissioner Mangrum stated a concern with the circulation within the site during peak times.

Motion: **Upon a motion by Commissioner Rushing, and a second by Commissioner Platt, the Commission voted 7 IN FAVOR, and 0 OPPOSED, to approve the request for an SUP Specific Use Permit for Allen Dance for a Dance Studio, on property currently zoned SC Shopping Center.**

The motion carried.

ITEMS OF INTEREST

Lee Battle, Assistant Director of Planning and Development announced the activities occurring to promote the 2010 Census and the award received by the GIS division during their most recent conference.

Commissioner Dreggors announced his eight year anniversary of being on the Planning and Zoning Commission.

Adjournment

Motion: **Upon a motion by Commissioner Dreggors and a second by acclamation the Commission voted 7 IN FAVOR, and 0 OPPOSED to adjourn the Planning and Zoning Commission meeting at 7:30 p.m.**

These minutes approved this _____ day of _____ 2010.

Robert Wendland, Chairman

Tiffany McLeod, Planner

Director's Report from 3/23/10 City Council Meeting

There was one item taken to the March 23, 2010 City Council meeting for consideration.

A Public Hearing was held and a request to amend the *Allen Land Development Code*, Section 2.03.2 regarding procedures following the Allen Sign Control Board's recommendation for approval or denial of an application for a variance from the City's sign regulations; Section 4.02.7 regarding procedures for determining new and unlisted uses; Section 4.10 regarding minimum side yards for garages and carports entered from rear alleys or side streets; Section 6.03.10 regarding firearms and explosives sales and service uses Section 6.04 by adding temporary food vendors to those required to obtain temporary use permits and procedures related thereto; Section 4.20.2 "Schedule of Principal Uses" by deleting the use categories "convalescent center" and "nursing home", adding the use categories "long-term care facility" and "senior independent living," and amending the uses allowed as a matter of right or by specific use permit in the "CC" Corridor Commercial zoning; Section 4.20.3 "Schedule of Accessory Uses" by amending the uses allowed as a matter of right or by specific use permit in the "CC" Corridor Commercial zoning; Section 7.04.1 regarding off-street parking and loading regulations by adding minimum parking requirements for assisted living centers, senior independent living centers, and long-term care facilities and adding regulations regarding stacking and queuing of vehicles; Section 7.05.6 regarding the plans for the design and installation of irrigation systems; Section 7.07 by deleting regulations relating to utility locations and adding a minimum height for ornamental fences located adjacent to greenbelts, open spaces, and parks; Section 7.09.2 by adding a new definition for "changeable electronic variable media message sign" and amending the definition of "electronic message board"; Section 7.09.4 to prohibit changeable electronic variable media message signs, animated signs, and message centers except in certain circumstances; Section 8.03 with respect to general development plans; Section 8.06 with respect to the design of corner lots; Appendix A "Definitions" by adding new definitions for "assisted living facility," "long-term care facility," "senior independent living," amending the definitions for "firearms sales and service repair" and "structure," and deleting the definitions for "convalescent home" and "nursing home"; Appendix B "Filing Fees and Charges" by increasing the fees related to pro-rata collection charges relating to construction of water and sanitary sewer lines; and Appendix I "Trail Design Standards" by amending certain design and construction standards related to pedestrian trails was approved.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: April 20, 2010

Consider a Final Plat for Wal-Mart Supercenter, Lots 1, 2, 3, 4 and 5, Block A, situated in the L.K. Pegues Survey, Abstract No. 702, City of Allen, Texas; located at the northwest corner of US75 and Exchange Parkway. (FP-3/29/10-19)

STAFF RESOURCE: Tiffany McLeod
Planner

PREVIOUS BOARD/COUNCIL ACTION: The zoning was amended on the property (Tract 1, PD No. 54) in July, 1999. A General Development Plan was approved in November, 2006 and expired. A Preliminary Plat was approved April, 2007 and expired. A revised General Development Plan was approved in September 2009, and a Preliminary Plat approved October, 2009.

BACKGROUND

This property is located at the northwest corner of US75 and Exchange Parkway. 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.

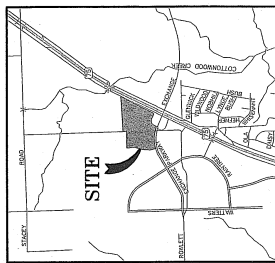
The Final Plat has been reviewed by staff and meets the requirements of the *Allen Land Development Code*.

STAFF RECOMMENDATION

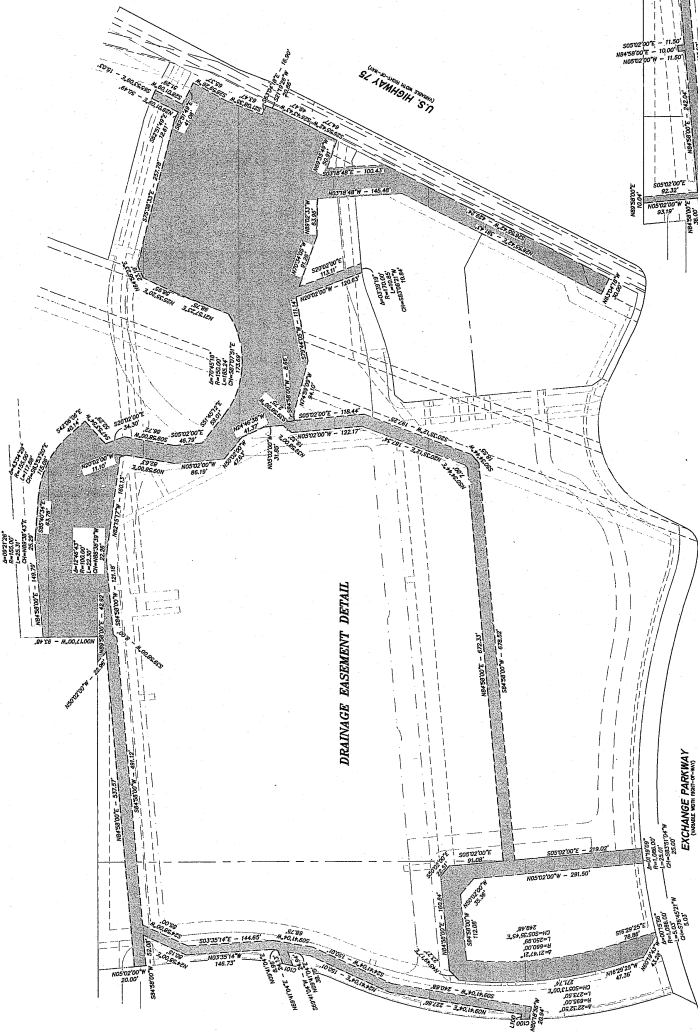
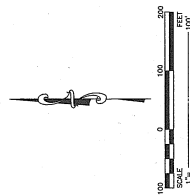
Staff recommends approval.

ATTACHMENTS

Final Plat

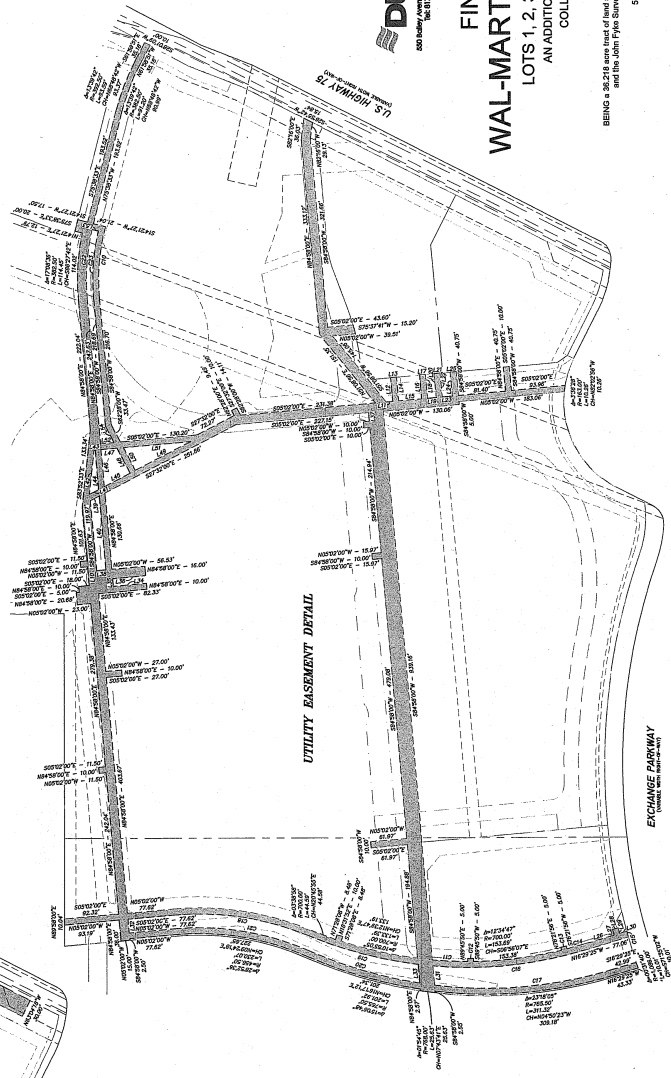


UNIT	LENGTH	LINE	BEARING
10	35.15	S84.9000°W	
11	40.75	S84.9000°W	
12	40.75	S84.9000°W	
13	40.75	S84.9000°W	
14	40.75	S84.9000°W	
15	40.75	S84.9000°W	
16	40.75	S84.9000°W	
17	10.00	S90.0000°E	
18	10.00	S90.0000°E	
19	15.00	S90.0000°E	
20	10.00	S90.0000°E	
21	10.00	S90.0000°E	
22	40.75	S84.9000°W	
23	40.75	S84.9000°W	
24	40.75	S84.9000°W	
25	25.00	S84.9000°W	
26	10.00	S90.0000°E	
27	10.00	S90.0000°E	
28	10.00	S90.0000°E	
29	10.00	S90.0000°E	
30	10.00	S90.0000°E	
31	10.00	S90.0000°E	
32	10.00	S90.0000°E	
33	10.00	S90.0000°E	
34	35.15	S84.9000°W	
35	35.15	S84.9000°W	
36	10.00	S90.0000°E	
37	10.00	S90.0000°E	
38	10.00	S90.0000°E	
39	10.00	S90.0000°E	
40	10.00	S90.0000°E	
41	10.00	S90.0000°E	
42	10.00	S90.0000°E	
43	10.00	S90.0000°E	
44	10.00	S90.0000°E	
45	40.75	S84.9000°W	
46	40.75	S84.9000°W	
47	40.75	S84.9000°W	
48	40.75	S84.9000°W	
49	40.75	S84.9000°W	
50	10.00	S90.0000°E	
51	10.00	S90.0000°E	
52	10.00	S90.0000°E	
53	10.00	S90.0000°E	
54	10.00	S90.0000°E	
55	10.00	S90.0000°E	
56	10.00	S90.0000°E	
57	10.00	S90.0000°E	
58	10.00	S90.0000°E	
59	10.00	S90.0000°E	
60	10.00	S90.0000°E	
61	10.00	S90.0000°E	
62	10.00	S90.0000°E	
63	10.00	S90.0000°E	
64	10.00	S90.0000°E	
65	10.00	S90.0000°E	
66	10.00	S90.0000°E	
67	10.00	S90.0000°E	
68	10.00	S90.0000°E	
69	10.00	S90.0000°E	
70	10.00	S90.0000°E	
71	10.00	S90.0000°E	
72	10.00	S90.0000°E	
73	10.00	S90.0000°E	
74	10.00	S90.0000°E	
75	10.00	S90.0000°E	
76	10.00	S90.0000°E	
77	10.00	S90.0000°E	
78	10.00	S90.0000°E	
79	10.00	S90.0000°E	
80	10.00	S90.0000°E	
81	10.00	S90.0000°E	
82	10.00	S90.0000°E	
83	10.00	S90.0000°E	
84	10.00	S90.0000°E	
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86	10.00	S90.0000°E	
87	10.00	S90.0000°E	
88	10.00	S90.0000°E	
89	10.00	S90.0000°E	
90	10.00	S90.0000°E	
91	10.00	S90.0000°E	
92	10.00	S90.0000°E	
93	10.00	S90.0000°E	
94	10.00	S90.0000°E	
95	10.00	S90.0000°E	
96	10.00	S90.0000°E	
97	10.00	S90.0000°E	



DRAINAGE EASEMENT LINE TABLE		
LINE	LENGTH	BEARING
1.100	8.60	S89°45'57"E

DRAINAGE EASEMENT CURVE TABLE				
Curve	Delta	Radius	Length	Chord Direction
C100	128°12'	768.00	15.23	S02°22'25"E



Curve	Delta	Radius	Length	Chord	Chord Direction
C1	436.41°	70.00	61.30	61.30	302.84° 44' W
C2	17.58°	70.00	19.60	19.60	302.84° 44' W
C3	436.41°	69.00	10.00	10.00	300.74° 10' E
C4	236.46°	70.00	28.80	28.80	301.70° 21' E
C5	436.41°	70.00	28.80	28.80	301.70° 21' E
C6	631.67°	100.00	10.00	10.00	374.30° 44' W
C7	436.41°	70.00	19.60	19.60	300.74° 10' E
C8	236.46°	70.00	28.80	28.80	301.70° 21' E
C9	236.46°	69.00	2.34	2.34	313.66° 46' W
C10	17.58°	70.00	19.60	19.60	302.84° 44' W
C11	436.41°	70.00	61.30	61.30	302.84° 44' W
C12	17.58°	70.00	19.60	19.60	302.84° 44' W
C13	436.41°	69.00	10.00	10.00	300.74° 10' E
C14	236.46°	70.00	28.80	28.80	301.70° 21' E

DUNAWAY
550 Bailey Avenue • Suite 400 • Fort Worth, Texas 76107
Tel: 817.335.1121 • Fax: 817.335.7437

FINAL PLAT
WAL-MART SUPERCENTER
LOTS 1, 2, 3, 4, and 5, BLOCK A
AN ADDITION TO THE CITY OF ALLEN
COLLIN COUNTY, TEXAS

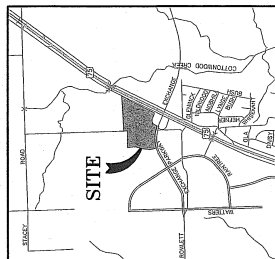
APRIL 7, 2010

BEING a 36.218 acre tract of land situated in the L.K. Pegues Survey, Abstract Number 702 and the John Fyke Survey, Abstract Number 325, Collin County, Texas

LOTS - 38.218 ACRES

PAGE 2 OF 4

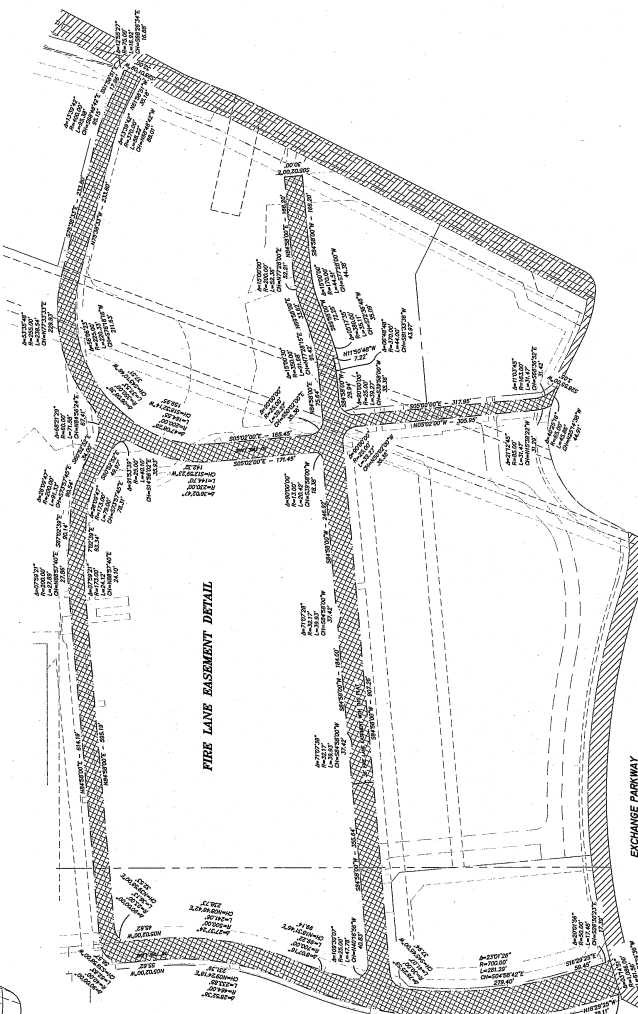
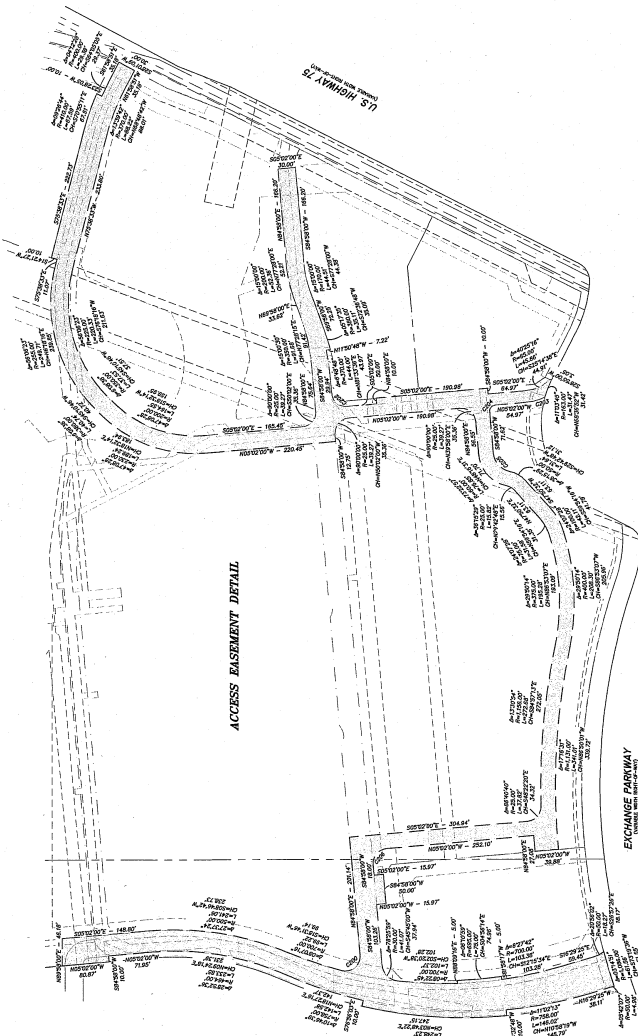
This plot filed in Cabinet _____, Side _____, PRCCT, Dated _____.



VICINITY MAP
1"=200'



Curve	Delta	Radius	Length	Chord	Chord Direction
C101	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C102	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C103	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C104	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C105	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C106	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C107	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C108	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C109	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C110	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C111	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C112	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C113	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C114	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C115	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C116	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C117	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C118	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C119	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'
C120	90.00°	50.00'	31.42'	70.71'	345.00° 45.00'



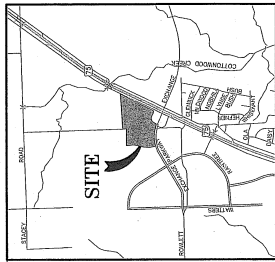
EXCHANGE PARKWAY
UNIMPROVED 30' R/W



FINAL PLAT **WAL-MART SUPERCENTER** **LOTS 1, 2, 3, 4, and 5, BLOCK A** **AN ADDITION TO THE CITY OF ALLEN** **COLLIN COUNTY, TEXAS**

APRIL 7, 2010
BEING a 36.218 acre tract of land situated in the L.F. Peguero Survey, Abland Number 702 and the John Faye Survey, Abland Number 525, Collin County, Texas
5 LOTS - 36.218 ACRES
PAGE 3 OF 4

This plat filed in Collin County, Texas, for Record, Dated _____



SITE



FINAL PLAT

WAL-MART SUPERCENTER

LOTS 1, 2, 3, 4, and 5, BLOCK A

AN ADDITION TO THE CITY OF ALLEN

COLLIN COUNTY, TEXAS

APRIL 7, 2010

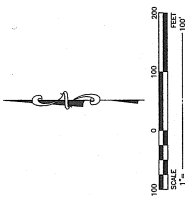
BEING a 38.218 acre tract of land situated in the L.K. Pagani Survey, Abated Number 702 and the John Pyles Survey, Abated Number 325, Collin County, Texas

5 LOTS - 38.218 ACRES
PAGE 4 OF 4

This plat filed in Collin County, Texas, is subject to the following conditions:



Curve	Delta	Radius	Length	Chord	Chord Direction
C100	115.00	69.17	67.94	57.02	285.54
C107	115.00	69.17	67.94	57.02	285.54



PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: April 20, 2010

Conduct a Public Hearing and consider a Replat for McDermott Business Park, Lots 1 thru 5, Block A, being a Replat of Lots A, 4 and B, Block A, McDermott Business Park. The property is 3.0620± acres located south of McDermott Drive and Ash. (FP-3/29/10-18)

STAFF RESOURCE: Helen-Eve Liebman, AICP
Senior Planner

PREVIOUS BOARD/COUNCIL ACTION: A Final Plat was approved in February, 2005.

BACKGROUND

This property is located south of McDermott Drive and S Ash Drive. The property to the south is zoned R-3 Residential, the property located to the north, east and west is CBD Central Business District.

The Final Plat, approved in February of 2005, shows three lots on the property. At that time the property owner intended to develop the property, maintain ownership of all three lots and manage the property as a single development. The property owner has taken a new direction and now proposes to subdivide and sell portions of the property. The Replat subdivides the property into five lots.

The Replat has been reviewed by staff and meets the requirements of the *Allen Land Development Code*.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Replat

