

AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, OCTOBER 7, 2014 – 7:00 P.M.
CITY COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TEXAS 75013

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

### **Pledge of Allegiance**

### **Directors Report**

1. Action taken on the Planning & Zoning Commission items by City Council at the September 23, 2014, regular meeting.

<u>Consent Agenda</u> (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 from the September 16, 2014, workshop and regular meeting.
- 3. Final Plat Consider a Final Plat for Angel Field West, being 21.80± acres out of the T.G. Kennedy Survey, Abstract No. 500, City of Allen, Collin County, Texas; located south of Bethany Drive and west of Montgomery Boulevard. (FP-8/8/14-59) [Angel Field West]

### Regular Agenda

- 4. Public Hearing Conduct a Public Hearing and consider a request to amend the development regulations specifically related to Section J (Garage Orientation), Section K (Garage Setback), and Exhibit "E" (Lot Detail), of Planned Development No. 112. The Property is 79.6± acres out of the J. Gough Survey, Abstract No. 347, City of Allen, Collin County, Texas; generally located north of McDermott Drive and east of Custer Road. (Z-9/24/14-67) [Cypress Meadows]
- 5. Public Hearing/Replat Conduct a Public Hearing and consider a Replat of Lot 2-R-1, Block E, Bray Central One Addition (being 29.09± acres at the northeast corner of Watters Road and Junction Drive) into Lots 2R-2, 2R-3, 2R-4 and 2R-5, Block E. (RP-9/8/14-63) [Bray Central One Addition]
- 6. Public Hearing/Replat Conduct a Public Hearing and consider a Replat of Lot 3B-R, Block A, Deer Crest Addition (being 15.798± acres located east of State Highway No. 5 between Prestige Circle and White Oak Street) into Lots 3B1-R and 3B2-R, Block A. (RP-8/19/14-61) [Christian Care Center]
- 7. Public Hearing Conduct a Public Hearing and consider a request to adopt an update to the City's Comprehensive Plan.

### **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, October 3, 2014, 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 9/23/2014 City Council Meeting

Development No. 54, and adopt a Concept Plan and Building Elevations for a 5.37± acre property, generally located southeast of the intersection of Alma Drive and Exchange Parkway, (for Streetlevel Center) was continued to October 14, 2014 City Council meeting.



### PLANNING AND ZONING COMMISSION

Workshop Meeting September 16, 2014

### **ATTENDANCE**:

### **Commissioners Present:**

Jeff Cocking, Chair Shirley Mangrum, 1<sup>st</sup> Vice-Chair Ben Trahan, 2<sup>nd</sup> Vice-Chair John Ogrizovich Michael Orr Stephen Platt, Jr.

### **Commissioners Absent:**

Barbara McNutt

### **City Staff Present:**

Kevin Laughlin, City Attorney Lee Battle, Assistant Planning Director Shawn Poe, PE, Assistant Director of Engineering Patrick Blaydes, Planner Madhuri Kulkarni, Planner

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

With a quorum of the Commissioners present, Chairman Cocking called the meeting to order at 6:07 p.m. in the City Hall Council Conference Room at Allen City Hall, 305 Century Parkway.

### Regular Agenda

Agenda Item #1	Comprehensive Plan Update

Lee Battle, Assistant Director of Community Development, led the Commission through a discussion of the *Comprehensive Plan* update regarding Allen's land use and community design.

### **Adjournment**

The meeting adjourned at 6:48 p.m.	
These minutes approved thisday of	2014.
	Madhuri Kulkarni, Planner



### PLANNING AND ZONING COMMISSION

Regular Meeting September 16, 2014

### **ATTENDANCE**:

### **Commissioners Present:**

Jeff Cocking, Chair Shirley Mangrum, 1<sup>st</sup>Vice-Chair Ben Trahan, 2<sup>nd</sup> Vice-Chair John Ogrizovich Michael Orr Stephen Platt, Jr.

### **Absent:**

Barbara McNutt

### **City Staff Present:**

Kevin Laughlin, City Attorney Ogden "Bo" Bass, AICP, Director of Community Development Lee Battle, AICP, Assistant Director of Planning and Development Shawn Poe, PE, Assistant Director of Engineering Tiffany McLeod, Senior Planner Madhuri Kulkarni, Planner

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

With a quorum of the Commissioners present, Chairman Cocking called the meeting to order at 7:03 p.m. in the City Hall Council Chambers Room at Allen City Hall, 305 Century Parkway.

### **Director's Report**

1. Action taken on the Planning & Zoning Commission items by City Council at the September 9, 2014, regular meeting attached.

### **Consent Agenda**

- 2. Approve minutes from the September 2, 2014 regular meeting.
- 3. Capital Improvement Program (CIP) Status Report.

Motion: Upon a motion by 1stVice-Chair Mangrum, and a second by

Commissioner Platt, the Commission voted 6 IN FAVOR, and 0 OPPOSED

to approve the Consent Agenda.

The motion carried.

### Regular Agenda

4. Public Hearing (WITHDRAWN) – Conduct a Public Hearing and consider a request to amend the development regulations of Planned Development No. 112, relating to Section F, Front Yard Setback. The Property is 79.6± acres out of the J. Gough Survey, Abstract No. 347, City of Allen, Collin County, Texas; generally located north of McDermott Drive and east of Custer Road. (Z-8/7/14-58) [Cypress Meadows]

Ms. Tiffany McLeod, Senior Planner, stated that this agenda item was withdrawn by the applicant on September 10th.

5. Public Hearing – Conduct a Public Hearing and consider a request to amend the development regulations of Planned Development No. 58, and adopt a Concept Plan and Building Elevations for the Property. The Property is 5.814± acres out of the L.K. Pegues Survey, Abstract No. 702, City of Allen, Collin County, Texas; generally located north of Exchange Parkway and east of US75. (Z-7/30/14-52) [Children's Learning Adventure]

Ms. Tiffany McLeod, Senior Planner, presented to the Commission. She stated that the property is generally located east of US Highway 75 and north of Exchange Parkway. It is on approximately 5.8± acres of land and is currently zoned Planned Development PD No. 58 for Shopping Center SC uses. The properties to the north and east are zoned Planned Development PD No. 58 for Shopping Center SC. The property to the south (across Exchange Parkway) is zoned Planned Development PD No. 21 for Garden Office GO. The property to the west (across US Highway 75) is zoned Planned Development PD No. 54 for Corridor Commercial CC.

The current PD lists the uses permitted, including any uses in the Shopping Center district, such as drive-thru restaurants, hotels and motels, auto sales and repairs. The applicant's request consists of three items: to change the uses permitted by right in the PD regulations, to adopt a Concept Plan for the 5.8-acre tract, and to adopt building elevations for a portion of the tract.

Ms. Mcleod stated that the Concept Plan shows the 5.8-acre property. The site will be subdivided into two (2) lots; one for a daycare use (Parcel 1). The current PD does not allow for a daycare use, and that is one of the changes proposed. To check the compatibility of the daycare use, surrounding uses were analyzed – which include a gymnastics facility (for children ages 1 to 18 years) and an indoor amusement facility for children above the age of 18 months.

The Concept Plan shows a 33,096 square foot daycare center on Parcel 1. The main entrance faces Exchange Parkway. There are two outdoor play areas located on the east and west sides of the building. The proposed screening for these outdoor areas is a 6' wrought iron fence with masonry columns. Landscaping will also be provided along the fence facing US Highway 75. Staff believes that an 8' masonry wall is more compatible with the development, the overall look along US 75, and also serves as a more substantial visual and acoustic buffer. Staff recommends changing the screening on the western side from a 6' wrought iron fence and landscaping to an 8' masonry wall.

There are a total of five (5) access points for the property. One point of access is on Exchange Parkway. The remaining access points are provided through access easements from the surrounding properties. With the development of the site, the fire lane network will be completed for the development.

Parcel 2, approximately 2 acres, is reserved for future development. When it is ready to be developed, the PD will have to be amended to establish the site design and building elevations.

Ms. McLeod then discussed the proposed building elevations for the daycare use on Parcel 1. The primary building materials proposed are brick, stone, stucco and glass storefront. The architecture of the building integrates well with the corporate style campus.

Next, the proposed development regulations were discussed. Again, a daycare use is proposed on Parcel 1 in addition to the already permitted uses in the PD. The requirement for a Specific Use Permit for a drive-in or thru restaurant uses is also proposed. Automotive related uses, currently permitted in the PD, will be prohibited.

The request has been reviewed by the Technical Review Committee. Staff recommends approval of the request with the condition that an 8' masonry screening wall is provided along the perimeter of the outdoor activity area located on the west side of the daycare building.

Commissioner Ogrizovich asked about heat that would be contained within the enclosed masonry wall.

Ms. McLeod stated that staff did not consider heat. A number of daycares were polled within Allen. Approximately half of them had wrought-iron fencing, and the other half had solid enclosures (wood fencing).

Commissioner Ogrizovich stated that the plan proposes landscaping as well. Ms. McLeod confirmed yes, landscaping is proposed along the western border.

Chairman Cocking asked whether the masonry wall was proposed for the western side or for the entire playground.

Ms. McLeod answered that staff is proposing that the masonry wall wrap the entire play area, but it is up to the discretion of the Commission. The intent of the masonry wall is to preserve the office style theme of the development and screen the play area from view along US 75.

Commissioner Ogrizovich said he understood but felt that the shrubs would grow and provide a good visual protection and allow for more air movement.

Ms. McLeod answered that although the shrubs would provide some screening, a masonry structure would be a more effective long-term screen.

Applicant Bill Dahlstrom, 901 Main Street, Dallas, Texas, addressed the Commission. He stated the proposed use is very unique to Allen. This request is to change the PD to allow a daycare. Mr. Dahlstrom stated that the question they initially had was whether this use would be classified as a daycare or private school as there are several services that are provided for children. He explained the center as fostering creativity with highly trained individuals with state of the art facilities. Their programs are for infant care, toddler care,pre-school and kindergarten, afterschool, and summer camps. Mr. Dahlstrom stated he is agreeable to the City support, except for the masonry wall condition due to several reasons: it is important to see what is happening outside the play area; to ensure that air flow and circulation is not cut off within the playground area; and because he felt that the noise on US 75 would not be blocked out with a masonry wall. He stated he wants to move forward with the 6' wrought iron fence with landscape screening as proposed. Mr. Dahlstrom further explained the daycare center and provided pictures of the daycare center in other locations. The facility would include: bowling lanes, culinary areas, theater, activity areas with ipads, indoor gyms, science/lab, art studio, library, interactive environments, outdoor activity areas, technology classes, infant and toddler rooms, and high security with fingerprint scanners and computer check-in. He stated this is differentthan a typical daycare. This proposal is compatible given the

surrounding land uses. He stated that because they are buying the entire property, they are also requesting to require a Specific Use Permit for drive-thru restaurants and to take away uses they wouldn't want next to the facility.

Commissioner Ogrizovich asked how many children would be in the facility.

Mr. Dahlstrom answered that in the mornings, there would be about 350 children, and in the afternoon, as many as 450 children.

Commissioner Orr asked if the outside areas are monitored, and Mr. Dahlstrom answered yes.

Commissioner Orr stated that on the western side, it does not look like there are many windows. Mr. Dahlstrom said that staff would be outside with the children.

Chairman Cocking opened the public hearing.

Kurt Huston, 1912 Saint Johns Avenue, Allen, Texas, spoke to the Commission in opposition of the request. He provided a background on child care within the City. He stated his search included over 50 pre-schools within the City. There are 13,555 children in the City. According to his calculations, for every two children, there is one spot to be registered in a licensed center. He said you would expect to see a licensed care capacity at 4,000 students, whereas Allen is at 7,000. Most existing facilities are not even operating at their full capacity. He stated that another child care facility is not needed. The average capacity for a pre-school is about 166. This one will be licensed for 700. He stated he disagrees about the location of the daycare as well. He agrees that the architecture is high-quality. He requested this item be tabled so more research can be done.

Amanda Snowman, 1695 E. Exchange Parkway, addressed the Commission. She stated she owns a business in Allen, and is opposed to this request. In 2008, there were 28 daycare facilities, and there are now 53. She stated there is not a need for the daycare as the market is saturated in Allen. Comparing the 2010 Census with 2018, the projection within 3 miles in Allen, shows a .1% increase in 0-9 years old, which is not significant. This large center, the size of an elementary school, will have a huge economic impact on the surrounding smaller centers that have been around for 10-15 years. They will lose children and teachers. Her biggest concern is safety as the facility is right next to US Highway 75 and within close proximity to traffic.

Wanda Lawrence, PO Box 4527, Allen, Texas, spoke to the Commission. She has been in child care for 46 years, and owned daycare centers for 40 years. She opposes this request for the same reasons previously stated. She said she has been through the Planning and Zoning Commission before, and they asked "is there a need?" for when she was going to open her third daycare center. In this case, she said there is not a need for this size daycare center. None of the current centers are full or at capacity.

Paul Mann, 6612 Jupiter, Plano, Texas, with Greenville Montessori School, spoke to the Commission. He said he opposes for economic reasons because a need for this facility does not exist due to oversaturation. It would also hurt everyone who is in business and may have to shut down. He said they just found out yesterday there was a meeting, so wanted more time.

John Snowman, 1695 E. Exchange Parkway, Allen, Texas, addressed the Commission. He said he's a small business owner and is in opposition. He requests this item be tabled so more owners can be involved. They became aware of this only yesterday.

Paul Niemyski, 1604 E. Exchange Parkway, Allen, Texas, owner of Primrose School, addressed the Commission. He stated that big box retail finally made it to childcare. He disagrees with the developer that this area is being underserved with childcare. The licensed capacity for this proposal is 700 children, and will affect traffic as several cars will be stuck on ExchangeParkway. Someone needs to look at the traffic loads.

Chairman Cocking closed the public hearing.

Chairman Cocking asked about safety of the facility due to its adjacency to US Highway 75.

Ms. McLeod stated that safety, noise, and visual buffers are concerns for the outdoor facility close to US 75. For the daycare site in general, staff does not think there is a safety concern with the building on that intersection. To address traffic, a traffic impact analysis was required and reviewed by the Engineering Department when staff reviewed the request. Ms. McLeod stated she wanted to make a correction on the screening condition – that staff would support the 8' masonry wall just on the western edge, and allow wrought-iron on the southern and northern ends. She stated that Mr. Dahlstrom's concern to be able to see outside the playground would be just as difficult with their proposed landscape screening. A masonry wall will not block out all sound, but it is a more significant buffer than landscaping and a wrought iron fence. There is a 30' right-of-way which would need to be dedicated in anticipation of the widening of US Highway 75. The distance today from the play area to the existing property boundary is 85'. Widening the service road would push the property line to 55' away from the playarea, which makesthe masonry wall even more appropriate for noise and visual buffering. Ms. McLeod stated that staff considers the appropriateness of use and site design. The market analysis is left up to the applicant to make their assessment if the business is viable in a location.

Commissioner Ogrizovich asked whether the traffic study that was done was based on the 350-400 children or on the 700 that is licensed. Mr. Trahan asked if it was done considering pre or post the proposed expansion of US Highway 75.

Shawn Poe, Assistant Director of Engineering, answered that the trip generation is based on the square footage of the building, so the Traffic Impact Analysis did not take into consideration the licensing capacity of the facility.

Commissioner Ogrizovich sought further clarification. He stated that if the facility will have 300 children, but the facility is licensed for 700 children, the square footage must allow for 700 children in order to get a license.

Mr. Poe stated they looked at the square footage, and that number would include how many students could occupythe building. The trip generation is based on that amount.

Carl Frontera from the Children's Learning Adventure stated that the facility is licensed based on the number of classrooms. The number 700 is a licensed capacity for the entire building. The 350-400 is the number of children that will be there at any one time who get rotated from the different activity rooms. Those facilities are not occupied full time.

Commissioner Ogrizovich clarified that the 350-400 is the more accurate number. He then asked if thosechildren would come in waves.Mr. Frontera answered yes.

Commissioner Orr wanted an explanation on the on-site circulation for dropping off children. Ms. McLeod answered parents will enter the site and have to park to drop off their children. There is no drop-off location. The site can be entered from the US 75 service road or Exchange Parkway.

Mr. Dahlstrom reiterated that there will be no drop-off. The parents park, have to do the finger-print scanning, and then register their children.

Ms. McLeod touched on the traffic load, and stated that the TIA assesses the peak load; the peaks of parent pick-up and drop-off is included in the analysis.

1st Vice-Chair Mangrum asked for the hours of operation of the facility. Mr. Frontera answered 6:00 to 6:30 am to 6:30 pm.

1st Vice-Chair Mangrum asked if there would be any big trucks dropping off supplies during the hours of operation. Mr. Frontera answered there would be food deliveries in a 20' truck, maybe once or twice a week.

Chairman Cocking asked about whether there would be a retaining wall on the circular road in the front of the building due to the slope. Ms. McLeod answered that there is a slope, and there will be a retaining wall.

Chairman Cocking stated it is always challenging when there are other businesses who request an item be denied for competitive reasons. A City, however, cannot regulate or manage commerce.

Motion:

Upon a motion by 1<sup>st</sup> Vice-Chair Mangrum, and a second by Commissioner Platt, the Commission voted 4 IN FAVOR, and 2 OPPOSED by Commissioner Ogrizovich and Commissioner Trahan,to recommend approval of the request to amend the development regulations of Planned Development PD No. 58, and adopt a Concept Plan and Building Elevations for a 5.8± acre property, generally located east of US Highway 75 and north of Exchange Parkway, for Children's Learning Adventure, with the condition that an 8' masonry screening wall is provided along the western end of the outdoor area and a wrought iron fence be provided along the north and south ends of the same outdoor activity area of the daycare building.

### The motion carried.

6. Public Hearing – Continue the Public Hearing and consider a request to amend the development regulations of Planned Development No. 54, and adopt a Concept Plan and Building Elevations. The property is a 5.37± acre portion of Planned Development PD No. 54, located in the Catherine Parsons Survey, Abstract No. 711, City of Allen, Collin County, Texas; generally located southeast of the intersection of Alma Drive and Exchange Parkway. (Z-7/30/13-53) [Streetlevel Center]

Mr. Ogden "Bo" Bass, Director of Community Development, presented to the Commission. He stated that this is a continued case, and if approved would go to City Council next week.

Mr. Bass stated that as with all PDs, there are three components: the development regulations, concept plan, and building elevations. The property is generally located southeast of the intersection of Exchange Parkway and Alma Drive. The properties to the south and west (across Alma Drive) are zoned Planned Development No. 54 Single Family Residential SF. The properties to the north (across Exchange Parkway) are zoned Shopping Center SC and Planned Development No. 54 Single Family Residential SF.

The property to the east is zoned Planned Development No. 54 Shopping Center SC. This currently vacant property of approximately  $5\pm$  acres is zoned Planned Development No. 54 Shopping Center SC. It has been zoned commercially since 1993. With the overall shape of the development, it is clear that this area was slated for a shopping center. The footprint says "grocery store anchor property." It is a deep site, and it is important to ensure that the front is not stripped for development.

Mr. Bass stated that letters were sent from the developer, Street Level, and they have reached out to the neighbors. He also mentioned that he has had conversations with many citizens over the last several weeks. He started off addressing some of the basic concerns:

- Setback: To fit the specialty retail grocery, it has to have a certain shape for the product to work and to have outparcels. Staff was motivated to get the grocery store to locate at this location, so it was largely a geometry problem. In order to accommodate for parking, landscaping, and access, some of the distances or setbacks needed to be modified. So instead of 50', the setback is 30'; which is 20' closer. One way to mitigate the concern of a closer setback was to flip the building to have the trash pick-up, delivery, and distribution on the public side rather than the rear side.
- Traffic: A Traffic Impact Assessment was vetted by the Traffic Engineer, and based on projections up to 2020. The result of the analysis was that some additional mitigation needs to be provided.
- Light: Allen has light standards; 0 at property lines, which is reviewed at the site plan stage.
- Noise: Allen has noise standards fordecibel levels during the day (65 db) and night (58 db).
- Landscape buffer: There will be an 8' masonry screening wall built with the Assured Self Storage development. To have greater visual mitigation, there will be an enhanced landscape buffer of Skyrocket Junipers on the southern boundary.
- Concern with placement of exterior doors: There are no doors on the rear of the grocery anchor building.
- Storage and trash placed outside: There is detailed language prohibiting any storage in the development regulations.
- Wall does not prevent animals from reaching residential area: Typically due to surface drainage, there is a gap for the walls. Since that is not necessary in this case, the wall adjacent to the residential area will be built so it reaches the grade.
- Drive-thru businesses The zoning has been in place since 1993.
- Building heights The highest building per the elevations is 28'. The single-family zoning allows up to 35', so this is a low-profile development.
- Hours of operation for stores There is nothing in particular in the regulations, but the principal tenant's hours are 7 a.m. to 10 p.m., and midnight on certain occasions.
- Delivery hours for store and restaurants Limited to the operational hours of the store. All of this activity will be on the front side facing Exchange Parkway.
- Received the property notice with little time to comment Although the sign was on the wrong corner, the issue was resolved quickly, and it enabled a longer time for public view.
- On-site drainage Registered, professional engineers state there is adequate off-site capacity. If the zoning is approved, it will be analyzed in much greater detail.

Mr. Bass stated that the proposed development contains a grocery store, drive-thru restaurants and retail space. There are a total of four (4) access points for the property. There are two (2) access points on Exchange Parkway and two (2) access points on Alma Drive. Some of the improvements for the project include a northbound duel left turn lane and southbound hooded left turn to be constructed on Alma Drive to manage the traffic flow entering and exiting the site. A continuous deceleration lane will be constructed all along the northern property line on ExchangeParkway. Parking for the grocery store will be to the front of the store along with a "promenade" drive.

The site will be subdivided into four (4) lots. Lot 1 is with the specialty grocery store (approximately 27,000 square foot building). Lot 3 is a contiguous, common-wall lot with a 5,100 square foot retail building. Lot 2 is on the hard corner and shows a 3,400 square foot drive-thrurestaurant building, and Lot 4 includes a 5,100 square foot building for retail and restaurant uses.

The specialty grocery store is 20' closer than the zoning currently allows. Thus, the dock high is on the north side rather than the residential side. That is normally discouraged, but because there is enhanced landscaping, and all the elements are painted and match the rest of the façade, it will read just like another part of the building. On the southern end, the developers pushed the fire lane closer to the building, which provided an 8' area for enhanced landscaping. Internally, fire lanes are provided and function well. Mr. Bass emphasized that if approved, the applicants will be held to the Concept Plan. If it changes substantially, it will go back through the entire PD amendment process.

The primary exterior materials for all of the buildings are stucco, brick, and stone. He pointed out the dock high area and stated that the same materials used for the primary building will be used for this area. The dock high is thus camouflaged. On the rear of the grocery store, Mr. Bass stated that there are no doors on the south elevation; only a few electrical transformers. There are three doors for the retail buildings. The dock high is below grade and a high wall will be erected to ensure that trucks are not seen from the east elevation. To address the concerns about the drive-thru restaurants, Mr. Bass stated that these elevations will tie down the developer. A fast food restaurant with some corporate color and unique to their brand will be included, but the basic design of the structure will not be altered.

Mr. Bass touched on the landscaping. He pointed out four areas of landscaping that would somewhat block the dock high from ExchangeParkway. He re-emphasized the Skyrocket Junipers on the southern side of the property.

Mr. Bass went over the development regulations. Setbacks will be reduced for the rear side of the specialty grocer. The side yard will be 0' for the common wall with the grocer, and a lesser side yard on Lot 4 is proposed. Street standards have also been vetted through Engineering, and street improvements have been included in the regulations as well. The applicant is really being tied down by the development regulations.

Mr. Bass concluded that staff recommends approval of the request.

The applicant, Anne Kuta, 5950 Berkshire Suite 700, Dallas, Texas, presented to the Commission. She stated that the southeast corner of Alma Drive and ExchangeParkway is zoned PD-54, and part of the Twin Creeks master plan. The PD zoning allows for a wide variety of uses including auto-part sales, carwash, etc. The proposed concept plan shows a neighborhood shopping center anchored by a specialty grocery that offers fresh, natural, and organic foods. Each piece of the concept plan relies on each other. All of the uses are already permitted under the PD. Some of the improvements include the dual left turn lane on Alma Drive, restriping and adding a deceleration lane along ExchangeParkway, and dedicating right-of-way on both Alma Drive and ExchangeParkway. The loading dock is typically on the back of the building, but in this case is away from the residents, and will be the same color as the front of the buildings. No doors are included on the back of the building. The fire lane on the south side of the site is 24'. A neighborhood meeting was conducted, and a landscape plan is proposed which goes above and beyond the Code. An 8 ½' setback is included with Skyrocket Junipers on the southern side. Additionally, a masonry wall will be constructed as another buffer on the southern property line. The additional landscaping in front of the loading area is provided for a limited view of the dock from ExchangeParkway. Ms. Kuta then showed a cross-section of the grocery store and the residential area, and described that the distance will include the fire lane, the landscape setback, the masonry wall, an existing alley, a privacy fence, and the setback of the resident from the property line. Architectural

enhancements have also been provided on the buildings. Site lighting will be followed per the Allen Land Development Code. For the last 20 years, the corner has been zoned for Shopping Center uses. Ms. Kuta concluded by stating that this is a team project between themselves, the City of Allen, and the residents.

Chairman Cocking opened the public hearing.

Chairman Cocking stated that the Commission has received a packet of several email correspondences over the last few weeks.

The following are individuals in opposition to the request:

- Debbie and Greg Jacobs, 1421 Salado Dr.
- Elizabeth Alexander, 608 Fannin Ct.
- Mark and Amy Haisler, 1094 Limestone Ct.
- Aida La Point, 518 Laredo Circle
- Celeta Bettison (Drive-thru type businesses)
- Danny and Elizabeth Jackson, 1306 Neches Dr.
- Gabriela N. Smith, 1620 Gladewater Dr.
- Silvina and Pablo Gargiulo, 1217 Brenham Ct.
- Ron and Stephanie Byland, 1222 Granger lack of buffer zone and low end development
- Michael Mahan, 1102 Salado Drive
- Jennifer Frieda, 1202 Padre Circle
- Jeff and Julie Ratcliff, 1108 Salado Dr
- Stephen Aman, 1220 Granger Dr
- Judson Arrington, 1228 Granger Dr
- Jen Frieda

The following are individuals in support of the request:

- Charles Nies, Alma and Exchange
- Jacque Morris, 300 Twin Creeks Drive

The following are individuals who requested additional information:

- Kerry Lee, 1227 Windmere Way
- John "Rick" Frampton, 1232 Granger Dr.

Jud Arrington, 1228 Granger Drive, Allen, Texas, spoke to the Commission. He stated he lives at the property south of the development and is opposed to the amendment. Some of the concerns include the impact to the value on his property and his family's quality of life. He wanted additional information on the timings of the drive-thru restaurants and timings of the grocery delivery schedule, and who would police these. The complexion of the neighborhood would change as well. Lastly, he stated that he was concerned with traffic. He said he knew that something would be built eventually on the other side of the fence and that this has always been zonedcommercial, but regulations have always been in place. The proposed development does not fit this space – a square peg does not fit in a round hole. Setbacks are put in place out of respect for the homeowners, and more concern is placed on those who will pass by rather than those who have a permanent view. This concept would work, but just not in this location.

Greg Jacobs, 1421 Salado Drive, Allen, Texas, addressed the Commission. His concerns include: the hours of operation for the drive-thru businesses, setbacks (which were established for a particular reason), storm water detention and run-off, no exit onto Alma Drive south-bound, maintenance of landscaping overhanging the alley to the south, andtrash from the site. He believed this development will negatively impact property values and will change the aesthetics of the neighborhood. He strongly opposes this development.

Steve Aman, 1220 Granger, Allen, Texas, spoke to the Commission. One of his concerns was regarding setbacks, and that it seemed like the concerns of the developers were being appeased at the expense of the homeowners. He said he did not see any of the principals in attendance. Runoff was another issue. He requested that a barrier be in place so that the alley does not get used for traffic. Grasscrete and other sources can be provided for permeability and drainage. Traffic and trash were also concerns.

Steve Earp, 1205 Quinlan Drive, Allen, Texas, spoke to the Commission. His concerns were regarding the setbacks and all of his neighbors' comments.

David Hicks, 401 Woodlake Drive, Allen, Texas, addressed the Commission. He represents Bossy Boots Holdings, the owners, and also as the president of the Twin Creeks Association. They are in favor of the development. This site was initially set up as a grocery anchor, retail center. Over 100 offers have been made for different opportunities over the years. He said he has seen over 32 versions of the site plan from Streetlevel. This development will be a benefit to Twin Creeks and the rest of west Allen. He is in favor of the proposal.

Greg Jacobs addressed the Commission again and clarified that his personal primary opposition is the two drive-thrus.

Chairman Cocking closed the public hearing.

1<sup>st</sup> Vice-Chair Mangrum commended the developer for working with the residents and staff.

Commissioner Ogrizovich wanted staff to respond to some of the concerns, especially for hours of the store and the deliveries.

Mr. Bass stated that property values and quality of life cannot be addressed. The drive-thru hours may be a reasonable request to ask the developers and discuss further. The activity is policed by the City – there are five inspectors to cover the City. Code Enforcement even works on Saturdays, and has the authority to write citations. For traffic, a traffic impact assessment has been conducted. Further analysis will be conducted in detail at future stages. The standards are great starting points, but also limit creativity. It is not uncommon that standards change through the PD process. Hours of operation and drive-thru can be addressed by the applicant. Trash dumpsters are shown on the plan to serve all the buildings. Engineers believe there is adequate off-site capacity for water run-off.

Commissioner Ogrizovich also commended staff in the presentation, and stated he supports the development.

Chairman Cocking pointed out a discrepancy between the presentation and the document regarding the side yard setback for Lot 4. Mr. Bass clarified that the setback is 6 feet, not 9 feet, and will be corrected.

Chairman Cocking stated that noise and smells are always concerns of residents adjacent to grocery stores. However, in this instance, everything that can be concerning is moved from the back of the building to the front. It is also a first that a landscape buffer will be placed on the back of a grocery store. He stated that setbacks are changed on a regular basis with PDs.

Commissioner Trahan asked for clarification that the restaurants can be open up to 24 hours; but the Commission can regulate that. Mr. Bass stated that the restaurant hours can be limited through deed restrictions, developer, or through legislation.

Chairman Cocking stated there is a drive-thru across the street today.

Commissioner Orr asked whether the restaurant had the possibility of not including a drive-thru.

Ms. Kuta answered that the drive-thru has been provided as an option for restaurants. The ability to have a drive-thrucan secure a user at the corner.

Commissioner Platt clarified that having the ability to have the drive-thru lane does not necessarily mean that the restaurant that goes there will utilize it.

**Motion:** 

Upon a motion by Commissioner Platt, and a second by Commissioner Ogrizovich, the Commission voted 5 IN FAVOR, and 1 OPPOSED by Commissioner Orr, to recommend approval of the request to amend the development regulations of Planned Development No. 54, and adopt a Concept Plan and Building Elevations for a 5.37± acre property, generally located southeast of the intersection of Alma Drive and Exchange Parkway, for the Streetlevel Center.

The motion carried.

### **Adjournment**

The meeting adjourned at 9:04 p.m.	
These minutes approved thisday of	2014.
Jeff Cocking, Chairman	Madhuri Kulkarni, Planner

### Director's Report from 9/9/2014 City Council Meeting

- The request to adopt an ordinance to create Planned Development No. 118 and adopt development regulations, a concept plan and building elevations for a 35.07± acre property, generally located southwest of Stockton Drive and Curtis Lane, for Keystone Park, was approved.
- The request to adopt an ordinance for the proposed amendments to the Allen Land Development Code, was approved with the following changes:
  - o Remove proposed vehicular signs and sign regulation amendments
  - o Change "Laundry/Dry Cleaning, Pick Up Only," as an accessory use in the CBD, to require a Specific Use Permit

### PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE: October 7, 2014

**SUBJECT:** Consider a Final Plat for Angel Field West, being 21.80±

acres out of the T.G. Kennedy Survey, Abstract No. 500, City of Allen, Collin County, Texas; located south of Bethany Drive and west of Montgomery Boulevard. (FP-

8/8/14-59) [Angel Field West]

STAFF RESOURCE: Madhuri Kulkarni

Planner

PREVIOUS COMMISSION/COUNCIL

ACTION: PD 96 Adopted – December, 2004

Zoning changed from PD 96 to PD 105 – July, 2010

Preliminary Plat Approved – April, 2014

### **BACKGROUND**

The subject property is located on the southwest corner of Bethany Drive and Montgomery Boulevard. It is zoned Planned Development PD No. 105 for Single Family Residential R-5. The property to the north (across Bethany Drive) is zoned Planned Development PD No. 76 for Single Family Residential R-5 and Planned Development PD No. 26 for Single Family SF. The property to the east (across Montgomery Boulevard) is zoned Planned Development PD No. 76 for Local Retail LR and Townhome TH. The property to the west is zoned Planned Development PD No. 105 for Agriculture-Open Space AO. Finally, the property to the south is zoned Planned Development No. 74 for Single Family R-5.

A PD Concept Plan for the property was approved in December 2004 and a Preliminary Plat was approved in April 2014. The Final Plat is the last step in the development process.

The Final Plat shows 62 residential lots and 11 open space lots on approximately  $21.8 \pm$  acres. There are two (2) access points into the site; both located on Montgomery Boulevard. The plat also shows ROW dedication and various easements required for development.

The Final Plat has been reviewed by the Technical Review Committee, is consistent with the approved PD Concept Plan and Preliminary Plat, and meets the standards of the <u>Allen Land Development Code</u>.

### STAFF RECOMMENDATION

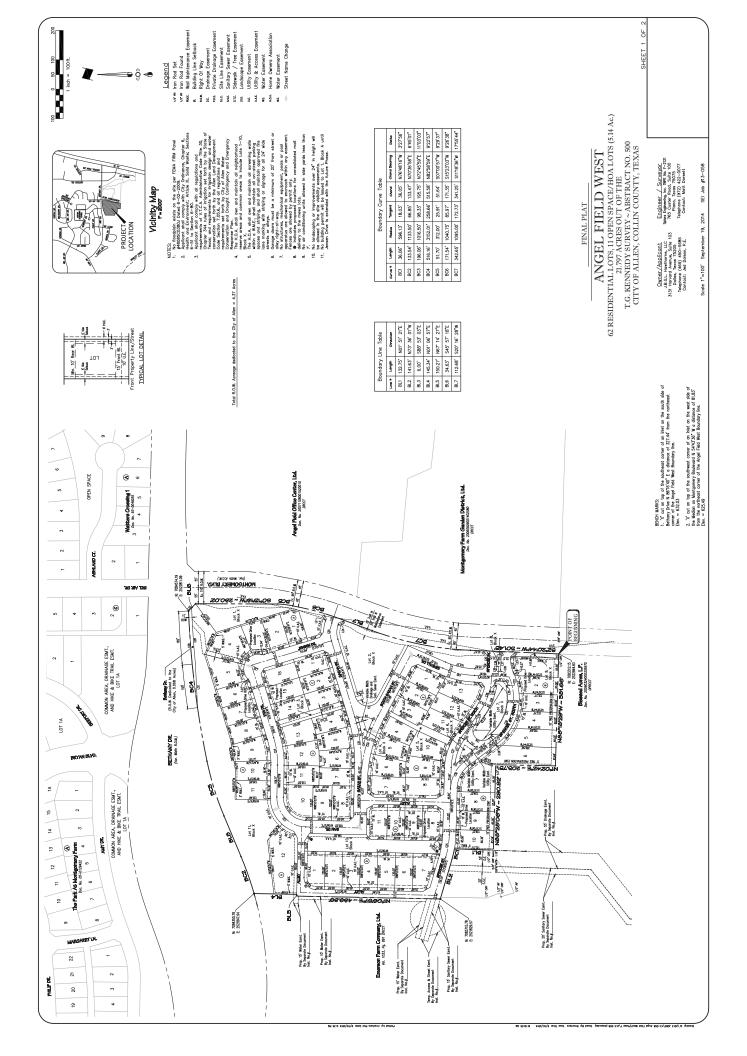
Staff recommends approval of the request.

### **MOTION**

I make a motion to approve the Final Plat for Angel Field West.

### **ATTACHMENTS**

Final Plat



## OWNER'S CERTIFICATION

WHEREAS JABOL, Havethorn, LLC is the sweet of a tract of load allusted in the T.G.
American Colin Courty Texts the StOR Oily of Men. Colin Courty Texts the subject tract
bens of a thirty American the StOR (Heyer Menhorn, LLC according) from the subject tract
SORIGEOGRAPSOD of the Pade Records, Colin Courty, Texts (DRCCI), the subject
ract being more particularly described as Idens:

BEGINING at a 1/2" from rod with a plastic cap found in the southeast corner of the JASA. Developme, LIC freat rescribed in Document No. 2014;05/1000423200 of the Plot Records. Colin County, Fercas (DRCCT), and being in the west right-of-way line of Montgomery Boulevards.

THENCE, N 8818'29" W, a distance of 381.66 feet, to a 1/2" Iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 0102'42" E, a distance of 203.73 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 8828'06" W, a distance of 280.92 feet, to a 1/2" iron rod with a plastic cap starmped "SPIASSIN" set from which a capped iron rod found bears SSS-12-46"W, a distance of 1/18 feet; THENCE, N 01'51'21" E, a distance of 132.75 feet, to a 1/2 'iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the right having a central angle of 327765°, a racials of 596.13 feet, a roral region of 78.98 (6 %).

THENCE, N 733601" W, a distance of 141.63 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, N 01'06'57" E, a distance of 489.89 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set; THENCE, N 0106'57" E, a distance of 145.34 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set; HENCE, S 88'53'03" E, a distance of 6.00 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a non-tangent curve to the left having a central angle of 06'45'01", a record of N 70'36'58' E - 133.47 feet, an arc length of 133.54 feet;

THENCE, N 6714'22" E, a distance of 150.27 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENC" set; THENCE around a tangent curve to the right having a central angle of 11'03'03", a radius of 1016.50 feet, a chord of N 72'45'59" E = 195.75 feet, an arc length of 196.06 feet;

THENCE around a non-tangent curve to the right having a central angle of 09'22'57", a radius of 3152.01 feet, a chord of N 82'55'9" E – 515.38 feet, an arc length of 516.16 feet;

THENCE, S 45.5718" E, a distance of 34.63 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE, S 0013'18" W, a distance of 280.02 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

THENCE around a tangent curve to the right having a central angle of 09'29'37", a chord of S 07'06'57" W - 51.64 feet, an arc length of 51.70 feet;

THENCE around a non-tangent curve to the right having a central angle of 0926'38", a radius of 1040.75 feet, a chord of 5 1572/30.3 W = 171.35 feet, an arc length of 171.54 feet;

HENCE, S. 2016'28" W, a distance of 112.68 feet, to a 1/2" iron rod with a plastic cap stamped "SPIARSENG" set;

HENCE, S 02'20'44" W, a distance of 301.43 feet, to the POINT OF BEGINNING with the subject tract containing 949,463 square feet or 21.797 acres of land. THENCE around a tangent curve to the left having a central angle of 1755'44", a radius of 1095.00 feet, a chord of S 11'18'36" W = 341.25 feet, an arc length of 342.65 feet;

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2014 This plot is approved subject to all platting ordina of the GIV of Allen, Taxas.

Witness my hand this \_\_\_\_\_\_ day of \_\_\_\_\_ J.B.G.L. Howthome, LLC

lames R. Brickman, Manager

STATE OF TEXAS \$

GIVEN UNDER MY HAND and seal of office this

regulations, and resolutions

BEFORED ME, the undersigned authority, on this day personally appeared

known to me to be person whose name is subscribed to the foregoing instrument, and advisededed to that he/she executed the same for the purposes and consideration therein expressed.

day of

Notary Public

THAT I, Darren K Brown do hereby certify that I prepared this plat from an actual and accurate arrays of the land and that the corner monuments shown thereon shall be properly placed, under my presond supervision, in accordance with the subdivision regulations of the City of Allen, Texas.



Darren K Brown.

BETORED ME, the undersigned authority, on this day personally appeared Darren K Brown known to me to be the person whose name is subscribed to the foregoing instrument, and convendeded to me that he executed the same for the purposes and consideration therein expressed.

day of GIVEN UNDER MY HAND and seal of office this Notary Public

Secretary Planning & Zoning Commission Date Date Chairman Planning & Zoning Commission Executed Pro-forma Date

2014. approved by it on the \_\_\_\_ day of City Secretary, City of Allen

The undersigned, the City Secretary of the City of Allen, Texas, hereby certifies that the foregoing Final Pard of the "WRGEL FIELD WEST" Subdission of Addition to the City of Allen was submitted to the Planning and Zonning Commission and

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5	21.99*	21.99	191.45	330.87				Length	61.13	158.28	142.95	94.97	235.85	77.39	109.67	108.86	130.83	240.93	111 75'
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7.16' S62'00'4.3"W 105'27'16" 16.13' N31'27'28"W 67'36'23" 16.49' N37'00'19"E 69'19'10"

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17.11

C20 C20

93'55'31" 64'47'35"

6.58

4.82

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C27 C26

. M4217'08"W 10'24'10" S43'20'34"W 160'51'17" N1015'50"W 91'55'56" S67'33'58"E 26'32'13"

24.48

12.29' 56.59

135.01 240.00

24.51

4.65

4.50'

7.22

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5

Centerline Line Table

FINAL PLAT

62 RESIDENTIAL LOTS, 11 OPEN SPACE/HOA LOTS (5.14 Ac.)
2.1/97 ACRES OUT OF THE
T.G. KENNEDY SURYEY ~ ABSTRACT NO. 500
CITY OF ALLEN, COLLIN COUNTY, TEXAS ANGEL FIELD WEST

Engineer / Surveyor Spies Engineering, in: TRE No. F-221 765 Custer Road, Suite 100 Plano, Texas 75075 Telephone (972) 422—0077 Contact: Matt Dersett 103 Owner/Applicant J.B.G.L. Hawhorne, LLC 3131 Harvard Avenue, Suite 103 Dellas, Texas 75205 Telephone (469) 450–5585 Contact: Jed Dolson, P.E.

SEI Job #13-058 19, 2014 September Scale 1"=100"

SHEET 2 OF

### PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE: October 7, 2014

**SUBJECT:** Conduct a Public Hearing and consider a request to amend

the development regulations specifically related to Section J (Garage Orientation), Section K (Garage Setback), and Exhibit "E" (Lot Detail), of Planned Development No. 112. The Property is 79.6± acres out of the J. Gough Survey, Abstract No. 347, City of Allen, Collin County, Texas; generally located north of McDermott Drive and east of

Custer Road. (Z-9/24/14-67) [Cypress Meadows]

STAFF RESOURCE: Tiffany McLeod

Senior Planner

PREVIOUS COMMISSION/COUNCIL

ACTION: Planned Development No. 112 Approved – March, 2013

Preliminary Plat Approved – May, 2013

Final Plat Approved – July, 2013

**ANTICIPATED COUNCIL DATE:** October 28, 2014

### **BACKGROUND**

The property is located north of McDermott Drive and east of Custer Road. The property to the north is zoned Single Family Residential (R-5). The property to the east is zoned Planned Development PD No. 88 Single Family Residential (R-7). The property to the south is zoned Agriculture-Open Space (A-O). The property to the west (across Custer Road) is in the City of Plano.

A Planned Development was established for the property in March 2013. The PD ordinance adopted both development regulations and a Concept Plan for the single family residential subdivision. The applicant is requesting to amend various sections of the development regulations to accommodate adjustments to the builder's floor plans and the market.

A summary of the proposed changes are as follows:

- Change the established percentage of each product type provided in the development.
- Reduce the minimum garage setback for the front facing garage, on the Option 1 product type, by two feet (2').
- For radial lots only change the point of measurement for the front facing garage, on the Option 3 product type, from the front building line to the front face of the building.

### STAFF RECOMMENDATION

Staff recommends approval.

### **MOTION**

I make a motion to recommend approval of the request to amend the development regulations specifically related to Section J (Garage Orientation), Section K (Garage Setback), and Exhibit "E" (Lot Detail), of Planned Development No. 112 for Cypress Meadows.

Planning & Zoning Commission October 7, 2014 Cypress Meadows Page 2

### **ATTACHMENTS**

Property Notification Map Proposed Development Regulation Changes (redline) Proposed Development Regulation Changes Modified Exhibit "E" Lot Detail





**Cypress Meadows** 

### Map Legend

Property Rezone

200' Notification Zone

City Limit

CollinCAD Parcel





NOTE:
This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.



### **Proposed Development Regulation Changes for Cypress Meadows (redline)**

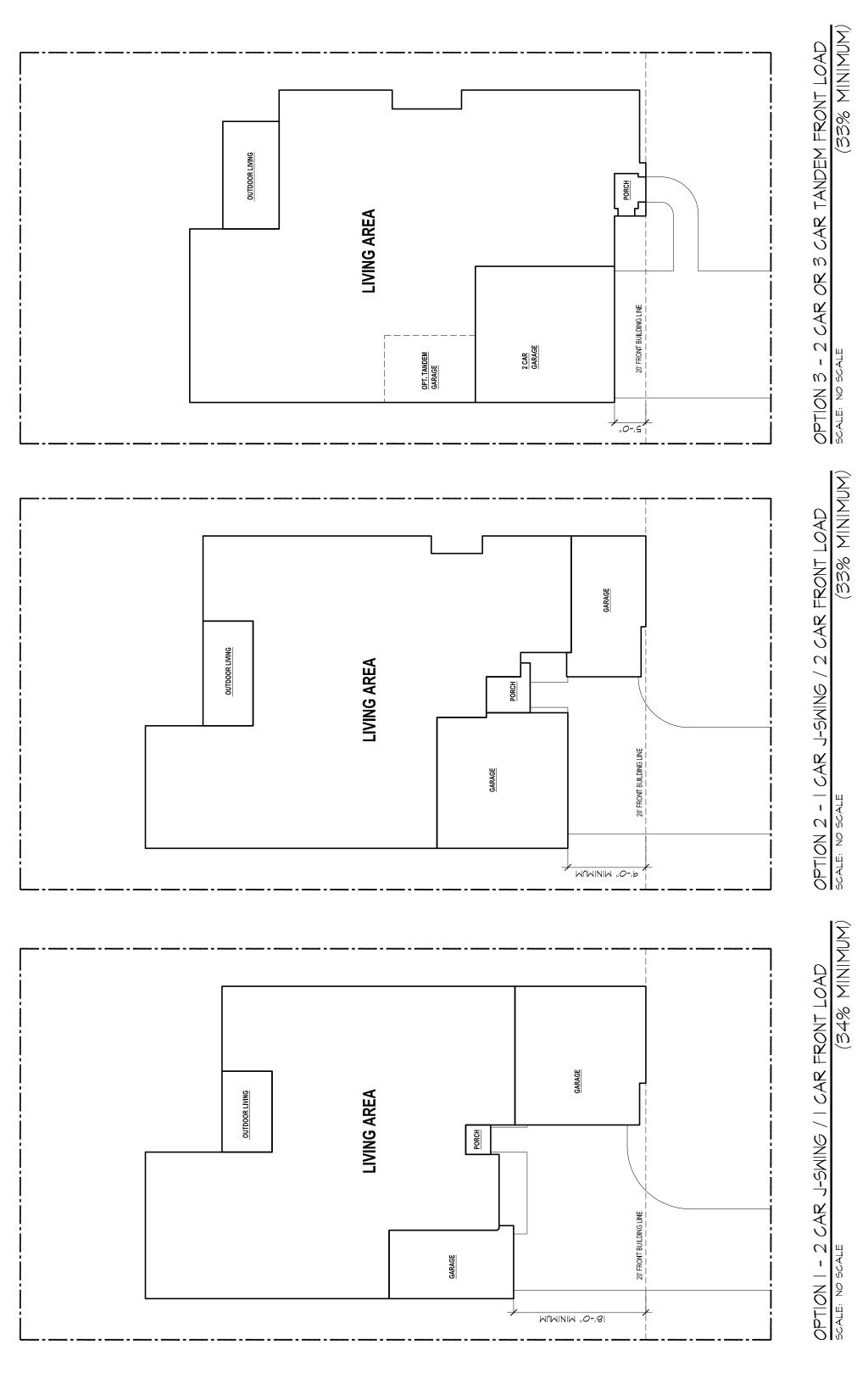
### J. Garage Orientation:

- (1) No less than fifty thirty four percent (50 34%) of the houses shall be constructed with an inside J-swing two car garage as shown in Option 1 of the Lot Detail attached hereto as Exhibit "E" and incorporated herein by reference, which houses may be developed with an optional front facing one car garage as shown in said Option 1.
- (2) No more than twenty five thirty three percent (25 33%) of the houses shall be constructed with an inside J-swing one car garage and a front facing two car garage with masonry divider, as shown in Option 2 of the Lot Detail attached hereto as Exhibit "E".
- (3) No more than twenty five thirty three percent (25 33%) of the houses shall be constructed with a front facing two car garage with masonry divider, as shown in Option 3 of the Lot Detail attached hereto as Exhibit "E".
- **K.** Garage Setback: The minimum garage setback for front facing garages shall be five feet (5') behind the Front Yard Setback. shall be as shown on the Lot Detail attached hereto as Exhibit "E"; with the exception that on radial lots constructed with the 2-Car or 3-Car Tandem Front Load product (Option 3) the minimum garage setback shall be five feet (5') measured from the front face of the building.

### **Proposed Development Regulation Changes for Cypress Meadows**

### J. Garage Orientation:

- (1) Thirty four percent (34%) of the houses shall be constructed with an inside J-swing two car garage as shown in Option 1 of the Lot Detail attached hereto as Exhibit "E" and incorporated herein by reference, which houses may be developed with an optional front facing one car garage as shown in said Option 1.
- (2) Thirty three percent (33%) of the houses shall be constructed with an inside J-swing one car garage and a front facing two car garage with masonry divider, as shown in Option 2 of the Lot Detail attached hereto as Exhibit "E".
- (3) Thirty three percent (33%) of the houses shall be constructed with a front facing two car garage with masonry divider, as shown in Option 3 of the Lot Detail attached hereto as Exhibit "E".
- **K.** Garage Setback: The minimum garage setback for front facing garages shall be as shown on the Lot Detail attached hereto as Exhibit "E"; with the exception that on radial lots constructed with the 2-Car or 3-Car Tandem Front Load product (Option 3), the minimum garage setback shall be five feet (5') measured from the front face of the building.



### PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE: October 7, 2014

**SUBJECT:** Conduct a Public Hearing and consider a Replat of Lot 2-R-

1, Block E, Bray Central One Addition (being  $29.09\pm$  acres at the northeast corner of Watters Road and Junction Drive) into Lots 2R-2, 2R-3, 2R-4 and 2R-5, Block E. (RP-9/8/14-

63) [Bray Central One Addition]

STAFF RESOURCE: Madhuri Kulkarni

Planner

PREVIOUS COMMISSION/COUNCIL ACTION:

Final Plat Approved –June, 1985 Replat Approved – March, 1987 Replat Approved – August, 1998 Replat Approved –May, 2005 Replat Approved – August, 2010 PD 108 Approved – October, 2011 PD 108 Amended – July, 2014

### **BACKGROUND**

The property is located at the northeast intersection of Watters Road and Junction Drive. The property to the north is zoned Planned Development PD No. 54 for Industrial Technology (IT). The property to the east, across Junction Drive, is zoned Planned Development PD No. 108 for Mixed Use MIX and Planned Development PD No. 54 for Industrial Technology IT and Corridor Commercial CC. The property to the south is zoned Planned Development PD No. 54 for Corridor Commercial CC. Finally, the property to the west, across Watters Road, is zoned Planned Development PD No. 54 for Multifamily Residential MF-18.

A Concept Plan for the property was approved in July 2014. The staff review of site plans for a senior independent living facility, the first phase of a multifamily residential development, and commercial building (for the Twin Creeks Urban Center District E project) are being finalized. Replatting the property is the last step in the development process.

The subject Replat is for 29.09± acres of land and divides the property into four (4) lots. There are six (6) access points provided through this plat; three (3) on Watters Road and three (3) on Junction Drive. Access points for the future phase of the multifamily residential development (on Lot 2-R-2) will be platted when that phase develops. The plat also shows ROW dedication and various existing/new easements required for development.

The Replat has been reviewed by the Technical Review Committee, is consistent with the approved Concept Plan, and meets the standards of the *Allen Land Development Code*.

### **STAFF RECOMMENDATION**

Staff recommends approval.

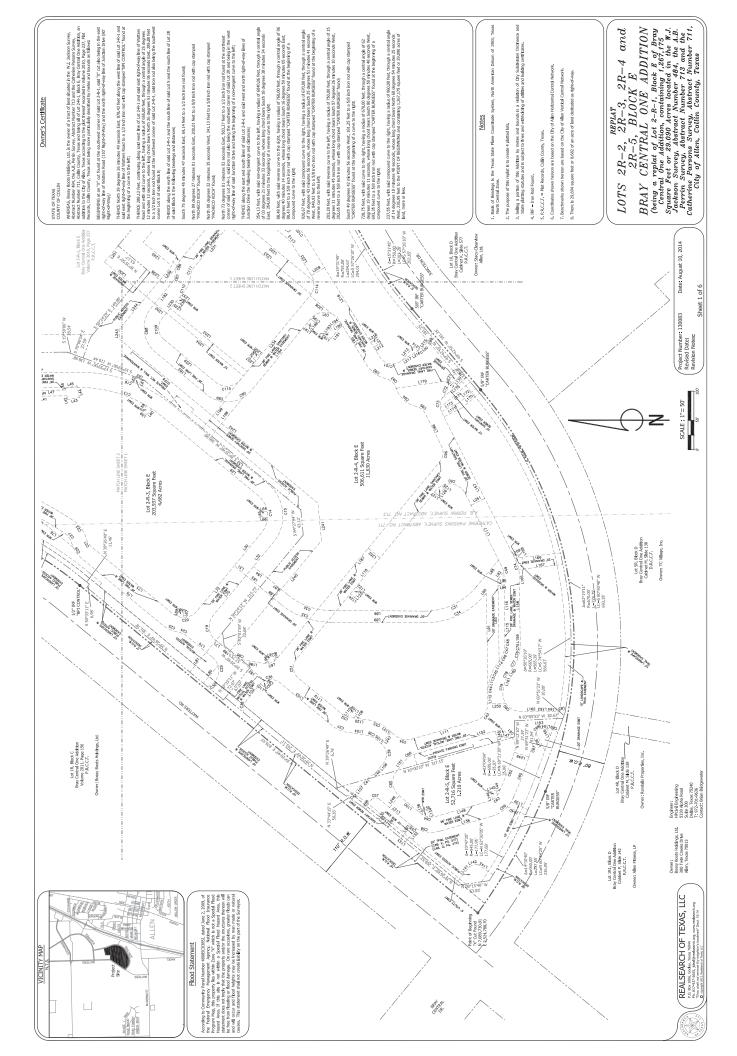
Planning & Zoning Commission October 7, 2014 Bray Central One Addition Page 2

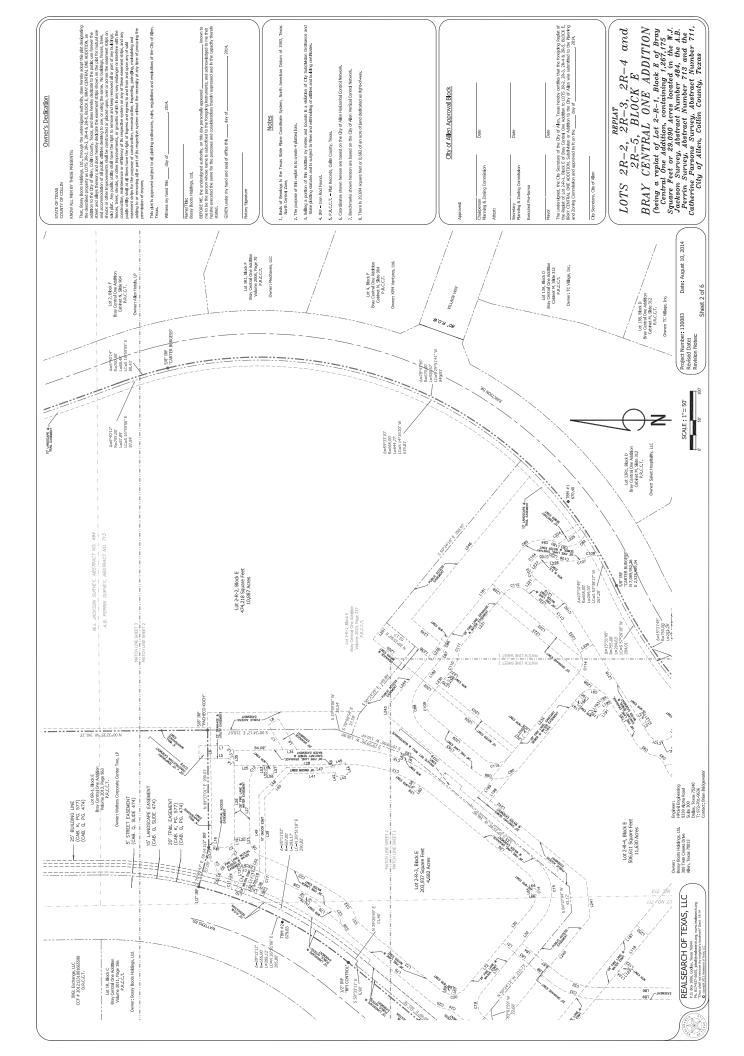
### **MOTION**

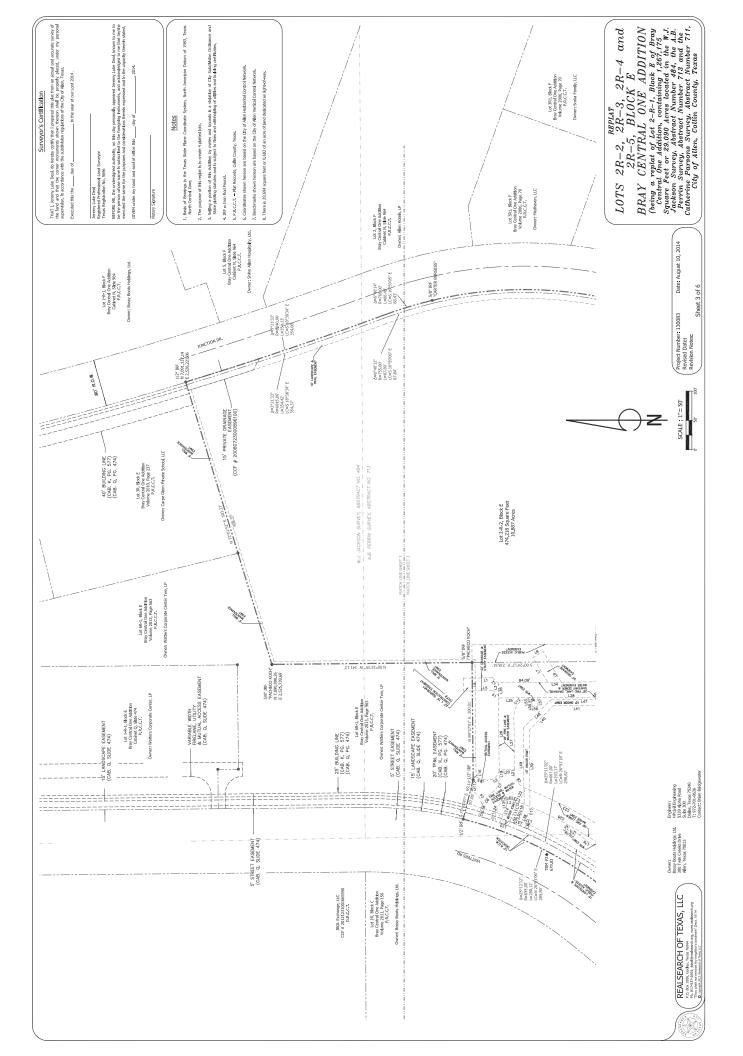
I make a motion to approve the Replat for Lots 2-R-2, 2-R-3, 2-R-4, and 2-R-5, Block E, Bray Central One Addition.

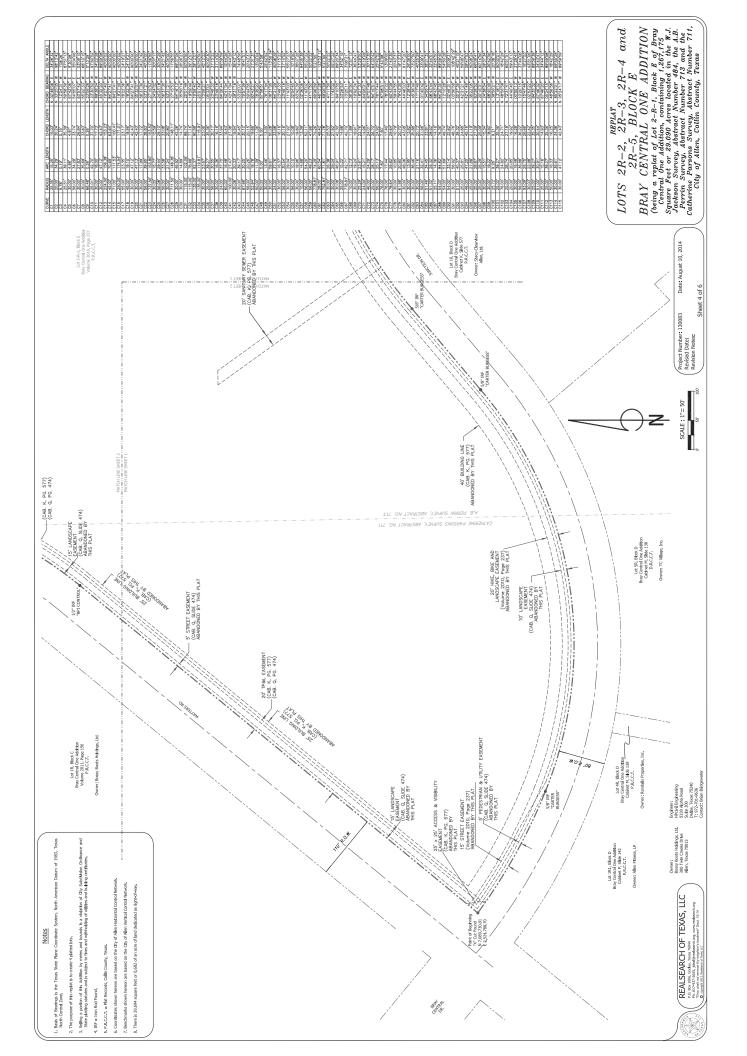
### **ATTACHMENTS**

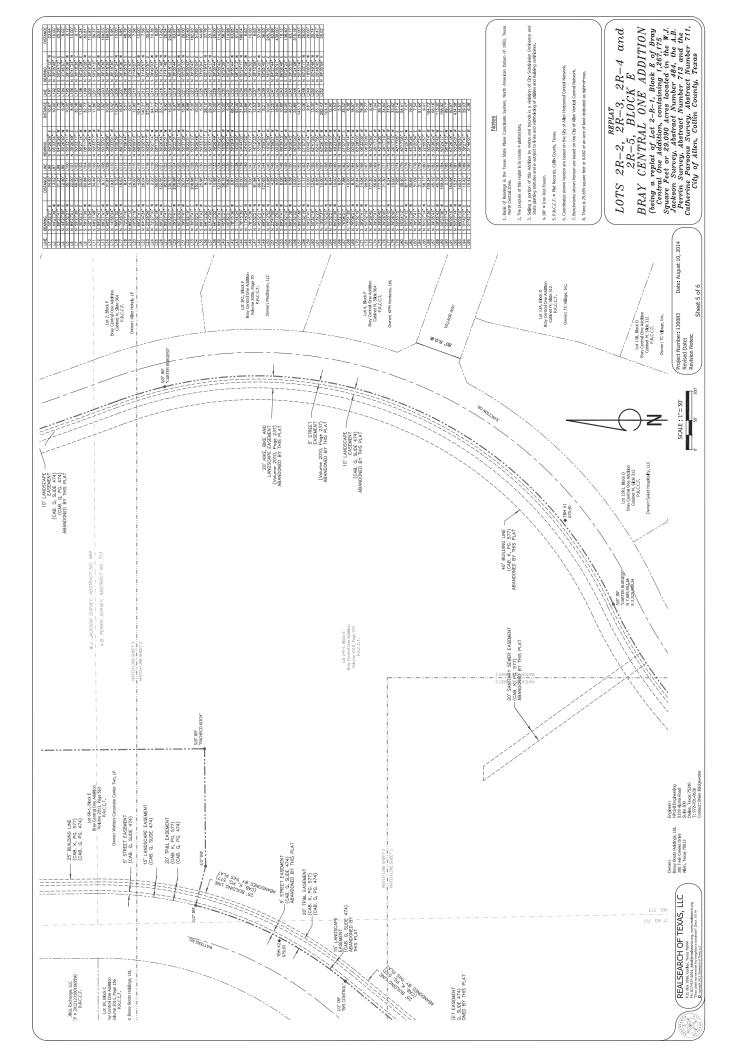
Replat

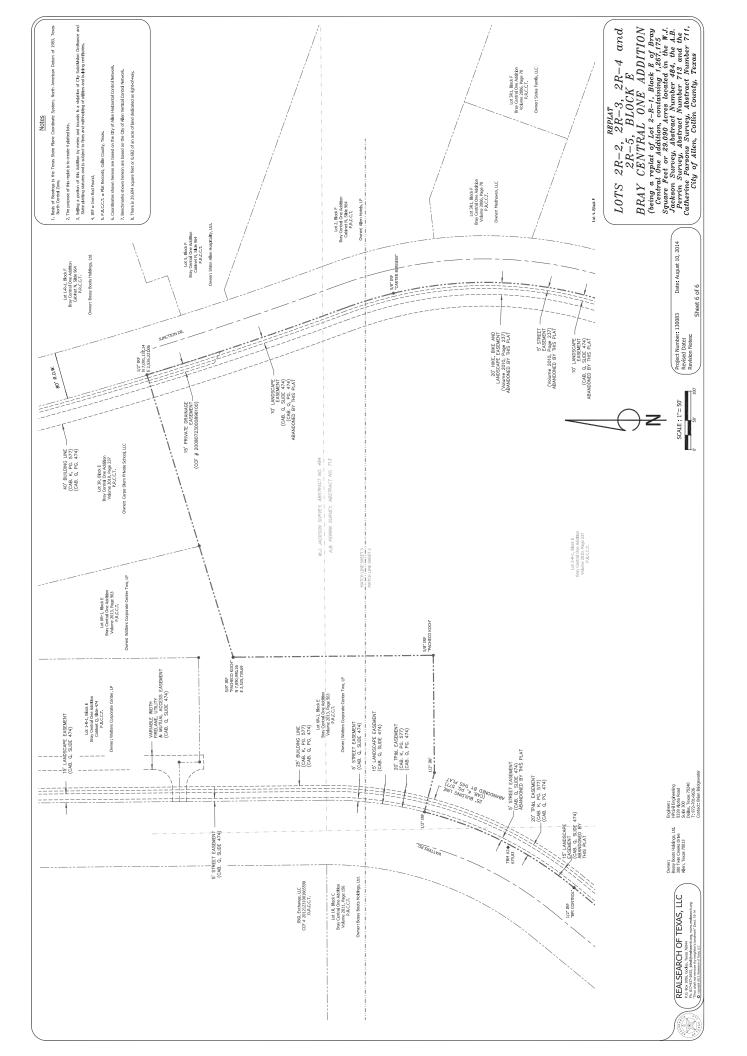












### PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE: October 7, 2014

**SUBJECT:** Conduct a Public Hearing and consider a Replat of Lot 3B-

R, Block A, Deer Crest Addition (being 15.798± acres located east of State Highway No. 5 between Prestige Circle and White Oak Street) into Lots 3B1-R and 3B2-R, Block A.

(RP-8/19/14-61) [Christian Care Center]

STAFF RESOURCE: Madhuri Kulkarni

Planner

PREVIOUS COMMISSION/COUNCIL

ACTION: PD No. 46 Approved - August, 1987

PD No. 46 Amended – June, 1999 Final Plat Approved – November, 1987 Replat Approved – October, 1999 PD 46 Amended – January, 2014

### **BACKGROUND**

The property is located on the southwest corner of Prestige Circle and Jupiter Road. The zoning to the north is Planned Development PD No. 46 for General Office GO and Multifamily Residential MF-12. To the east, the zoning is Planned Development PD No. 49 for Single-Family Residential R-7. The zoning to the south is Single-Family Residential R-5. Finally, to the west (across Greenville Avenue) the zoning is Planned Development PD No. 3 for Light Industrial LI and Shopping Center SC.

A Concept Plan was approved in January 2014. A Site Plan for an assisted living and memory care facility and senior independent living cottages (for the Christian Care Center Allen Senior Living Community project) has been approved by staff. Replatting the property is the last step in the development process.

The Replat is for  $15.798 \pm acres$  of land and divides the property into two (2) lots. This replat is specifically to accommodate the Christian Care Center Allen Senior Living Community development on Lot 3B2-R, Block A. There are three (3) access points into this lot; one located on Prestige Circle to the north, and two located off the adjacent property to the west. The plat shows various existing/new easements required for development. Access points and easements remain the same for the existing development on Lot 3B1-R, Block A.

The Replat has been reviewed by the Technical Review Committee, is consistent with the approved Concept Plan and Site Plan, and meets the standards of the <u>Allen Land Development Code</u>.

### **STAFF RECOMMENDATION**

Staff recommends approval.

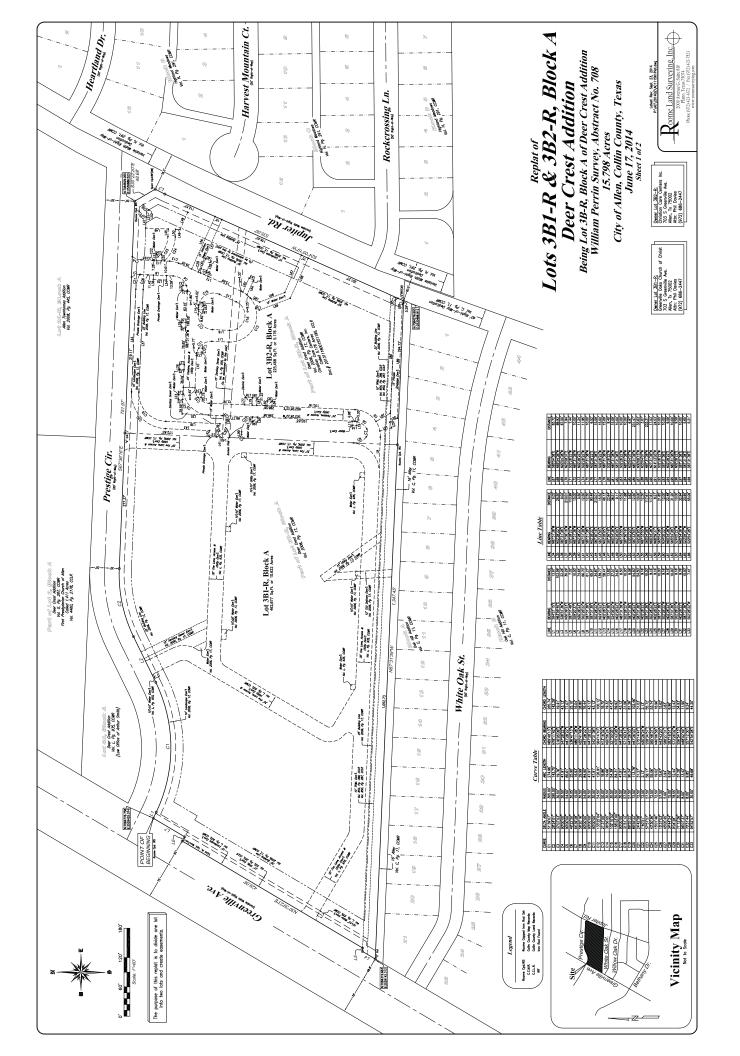
### **MOTION**

I make a motion to approve the Replat for Lots 3B1-R and 3B2-R, Block A, Deer Crest Addition.

Planning & Zoning Commission October 7, 2014 Christian Care Center Page 2

### **ATTACHMENTS**

Replat



## WINER'S CERTIFICATE

STATE OF TEXAS COUNTY OF COLLIN

WHERES, Overwalde Oaks Church of Obrist and Christian Care Centers fine, are the remares of a 15789 own trend of land siluated in the solid ord feast, Outword of Callin, and City At all the Care and the Care and Care Adding on the Care Adding one consider in Wall and premises being more particularly described so follows:

BECINNING at a Roome capped from rod set marking the intersection of the southeast right-of-way line of State Highway No. 5 (Greenville Avenue) with the south right-of-way line of Prestige Critic (607 infight-of-way), sold beginning corner being the northwest corner of sold Lot. BBM- of a said oddition;

THENCE with south right-of-way line of Prestige Circle and the north line of Lot 3B-R as follows:

South 64'21'15" East, 13.87 feet to a point movining the beginning of a curve to the feet between damps and curve holing a centur marge of 13.750" with a random 53.550.0 feet, for an ord distance of 27.550 feet, (hord - New P.750" with a random 54.50 mean of 15.50 feet, (hord - New P.750" with a random 54.50 mean of 15.50 feet of 15.50 mean feet of 15.50 mean feet of 15.50 mean feet of 15.50 means of 15.50 of 15.50 means

THENCE doing said corner clip, the northeast line of said Lot 39-R and 5.176 core tract, NYZ220' Ext. 4869 feet to a Spar capped from rod found morking the intersection of the south dight-of-way line of Prestige Circle with the west right-of-way line of Jupiter Road (windble width right-of-way).

est TREICE with the wat clinquist or of Judgmen Root the east time of said \$176 ore freet, and the east line of said \$176 ore freet, and the east line of said erraines an follows: Sault 2405'19' West, 2256 let to a Sarro reappeal into ned bound for coverer, \$240,00' for \$25,00' feet to a Cyll' rice of some of said in the north right-of-way line of a 16 foot alloy monking the southwest corner of Lot 38-R, said \$176 care troot, and the southwest corner of said promises.

THEMCE with the north right-of-way line of said 16 foot alley, the south line of Lot 38-R; the said line of said 27/130. This cost broat and the south line of said 27/130. Where I possing at 284.72 feet a Roome capped into rot set morking the southerest corner of said 51/16 cost broat and comment of 28.176 cost broat and comment of 28.176 cost foot and communique with the southerest corner of said refer to an 74 set in concrete in the southerest right-of-way line of the discensarious State Hepmans.

HENCE with the soundard right-for-usy fine of State (Helpery No. 5, the northwest line of old US-B, and the northwest line of said premises as follows:

8731/45 East, 702 Ret to a Carlo premise as objects as a for corner, South 8731/45 East, 702 Ret to a A/5\* from not found for corner. North X032021 East, 520 Ret to a A/5\* from not found for corner, South 92205 Ret to a Note claiminum capped moment found for corner, South 822037 East, 1000 Ret to a Tobit claiminum capped moment found for corner, south NUL X03202 East, 1000 Ret to a Tobit claiminum capped moment found for corner, south east or 15798 corner for the total or beginning and containing 688,145 square feet or 15798 cores of lond.

# OWNER'S DEDICATION & ACKNOWLEDGEMENT

STATE OF TEXAS COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

Incl. Oversutilis Oaks Church of Christ and Christian Care Centers Inc.: through the undersigned authority, do hereby this gold designation that secure of the control of t

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

, 2014. - day of WITNESS, MY HAND, this

Lot 381-R: Phil Davies, Greenville Oaks Church of Christ

Lot 382-R: Phil Davies, Christian Care Centers Inc.

STATE OF TEXAS \$
COUNTY OF COLLIN \$

ACKNOWLEDGEMENT

BETORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this, on this day personally approach PME Texas, shown to he to be the person whose name is subscribed to the foreging instrument and accinomedage to me that he or she executed the same for the purpose and consideration therein expressed.

\_, 2014. day of -GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

STATE OF TEXAS COUNTY OF COLLIN

TMI 1, F. E. Bemenderfer, Jr. o Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this post from an octuol and occurring servey of the flood ont that the corner monuments show thereon soll be properly placed, under my personal persenties, in accordance with the subdivision regulations of the City of Men, Texas.

F. E. Bemenderfer, Jr. R.P.L.S. No. 4051

STATE OF TEXAS COUNTY OF COLLIN

BETORE WE, the undersigned authority, on this day personally appeared P. B. Bemenderfer, Jr., known to me to be the appearen whose buildnesses and consideration the foregoing instrument, who authorisedged to me that the same was executed for the purposes and consideration therein expressed.

CKNOWLEDGEMENT

2014. day of

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_

Notary Public in and for The State of Texas

Secretary, Planning & Zoning Commission

Attest

Chairperson, Planning & Zoning Commission

Date

Date Executed Pro-forma

Mayor

City Secretary, City of Allen



# Lots 3B1-R & 3B2-R, Block Being Lot 3B-R, Block A of Deer Crest Addition Deer Crest Addition

Vicinity Map

Willow Oak Dr

Owner Lot 381-8; Greenville Ooks Church of Christ 703 S Greenville Ave. Allen 1x 75:002 Attr. Phil Davies (972) 686-2447

Owner Lot 382–R.
Christian Care Centers Inc.
703 S Greenville Ave.
Allen, Tx 75002
Attn: Phil Dovies
(972) 686–2447

Soome Land Surveying, Inc. Lotest Rev. Sept. 23, 2014 P:\u00e4C\201402\u00b4C11561Plat.dm

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City of Allen, Collin County, Texas June 17, 2014 Sheet 2 of 2

William Perrin Survey, Abstract No. 708

15.798 Acres

### PLANNING & ZONING COMMISSIONAGENDA COMMUNICATION

AGENDA DATE: October 7, 2014

SUBJECT: Conduct a Public Hearing and consider adopting an update

to the City's Comprehensive Plan.

**STAFF RESOURCE:** Lee Battle, AICP

Assistant Director of Community Development

PREVIOUS COMMISSION/COUNCIL

ACTION: None

**LEGAL NOTICES:** Newspaper Notice Published – 9/25/14

**ANTICIPATED COUNCIL DATE**: October 14, 2014

### **BACKGROUND**

The Comprehensive Plan is a document that articulates a vision for the future of the community. The plan establishes policies, goals and strategies for achieving that vision. It includes many tools, such as the Land Use Plan and Thoroughfare Plan that directly guide growth and development.

Over the last year, the City has facilitated a process to create an updated Comprehensive Plan for Allen. This plan is focused on the continued growth and development of the community. There are four main elements of this plan:

- Community Livability
- Mobility
- Land Use and Design
- Growth Strategy

This plan builds on the strong foundation created by the previous Comprehensive Plan, as well as the many studies and strategic planning efforts that have been completed in recent years. The Allen 2030 Plan serves as a guide for the future of the community. This Plan officially updates and replaces the previous Comprehensive Plan adopted in 2003.