



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, NOVEMBER 17, 2015 – 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 November 10, 2015 regular 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. Capital Improvement Program (CIP) Status Report.
3. Approve minutes from the November 3, 2015, regular meeting.

Regular Agenda

4. Tabled Item/Public Hearing/Replat – Continue the Public Hearing and consider a request for a Replat for Allentown Office Park, Lots 3R, 4, and 5, Block A, being a replat of Lot 3, Block A, Allentown Office Park; generally located west of Greenville Avenue and south of Allentown Parkway, Allen, Texas. (R-9/21/15-67) [Allentown Office Park]
5. Public Hearing/Residential Replat – Conduct a Public Hearing and consider a request for a Residential Replat for Lots 30R, Block A and Open Space Lot 38R, Bethany Mews/Pecan Homes, being a replat of Lot 30, Block A and Open Space Lot 38, Bethany Mews/Pecan Homes, generally located south of Bethany Drive and west of Claire Lane, Allen, Texas. (RR-9/28/15-68) [Bethany Mews/Pecan Homes]
6. Public Hearing/ALDC Amendments – Conduct a Public Hearing and consider proposed amendments to the Allen Land Development Code relating to: Section 4.10 “Residential Accessory Use Regulations”; Section 4.15.3 “Schedule of nonresidential height and area regulations” relating to the height of accessory structures in the Office zoning district; Section 4.20.2 “Schedule of Principle Uses” relating to “Medical Clinic” and “Medical and Dental Office” uses; Section 4.20.3 “Schedule of Accessory Uses” relating to the addition of

a new use titled “Telecommunications (Monopole Tower)”; Section 7.03.4.8 “Parking lot and loading area lighting”; Section 7.09.2 relating to the definition of “Sign Area”; Section 7.09.5.10. relating to design standards for certain signs; Section 7.09.9.1 relating to the location of freestanding signs; Section 7.09.11.1 relating to “Temporary Signs”; Section 7.09.11.2 relating to requiring permits for permanent institutional signs; Appendix A “Definitions” by amending the definitions of “Medical Clinics,” “Medical and Dental Offices,” and “Hospitals”; and Appendix C “Trees and Plants” by relating the list of recommended species for new plantings.

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, November 13, 2015 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 11/10/2015 City Council Meeting

- ☐ The continued item request to adopt an Ordinance to amend the Development Regulations of Planned Development No. 108 and Adopt a Concept Plan and Building Elevations relating to 8.142± acres, generally located on the southeast corner of the intersection of Raintree Circle and Junction Drive for the Alders at Twin Creek, was approved.

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PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: November 17, 2015

SUBJECT: Capital Improvement Program (CIP) Status Report

STAFF RESOURCE: Chris Flanigan, PE
Director of Engineering

PREVIOUS COMMISSION/COUNCIL ACTION: None

PUBLIC NOTICE: None

BACKGROUND

Every month the Engineering Department will provide a status update of the City's Capital Improvement projects.

STAFF RECOMMENDATION

N/A

MOTION

N/A

ATTACHMENTS

CIP Progress Report through October, 2015
CIP Map through November, 2015

ENGINEERING CIP REPORT - THROUGH OCTOBER 2015

		PROJECT		STATUS/COMMENTS		CONST. DATES
FACILITIES	1	Fire Station 2 Reconstruction	PS1303	Building demolition is complete, and prep preparations have begun. Weather permitting, soils work and utility infrastructure continues.		Complete Fall 2016
	2	City Hall Basement Remodel	PS1501	Utility infrastructure is complete; painting, duct work and HVAC vents being done. Staff reviewing FF&E pricing. Move-in scheduled for January 2016.		Complete Jan. 2016
	3	City Hall Interior Paint/PD Headquarters Shade Structure Paint		Purchasing reviewing bid documents to initiate solicitation # and bid timing. Estimated at approximately \$56,500.		Complete Jan. 2016
ROADS	4	2015 Intersection Improvements	ST1504	Preliminary design submitted on 10/19/15.		TBD
	5	2014 Street and Alley Repair	ST1401	Project substantially complete. Working on final punchlist.		Complete Fall 2015
	6	Alma Drive Improvements (Hedgcoxe-SH121)	ST1503	Adding lanes to Alma Drive median to have six continuous lanes from Hedgcoxe to SH 121. Design services have begun. Construction completion anticipated by the end of year 2017.		TBD
	7	Ridgeview Drive (Watters - US75)	ST1202	No formal construction schedule. Awaiting development trends in this area.		TBD
	8	Ridgeview Drive (Alma through Stacy) Ph 1	ST1308	LSCC placed north half of bridge deck on 10/28/15. LSCC has lined roadway and placed string line.		Complete Winter 2015
	9	Montgomery Boulevard Extension	ST1403	McMahon has constructed the east abutment wall and are forming the west abutment wall.		Complete April 2016
	10	FM 2551	ST0316	Design is being managed by Collin County to widen FM 2551 to six lanes from Main Street to Parker Road. Project is awaiting funding agreements between the County, TxDOT, and stakeholder Cities.		TBD
	11	Stacy Road, Ph 2 (Greenville - FM 1378)	ST0704 NITMWD	Roadway is a TxDOT project, currently planned to begin construction in Fall 2015.		Begin Fall 2015
	12	Watters / Bray Central Street Lights	JBGL	Bray Central lights have been changed out to Decashield 400 and are currently burning. Watters Road streetlights final design has been approved for construction.		Complete Dec. 2015
	13	US 75 Widening	TXDOT	Addition of 2 general purpose lanes, selected ramp reversals, and intersection improvements.		Complete Feb. 2017
UTILITIES	14	Cottonwood Creek Wastewater Rehab	WA1501	No-DigTec has installed at the sanitary sewer and completed all the restoration. Waiting on Insituform to install fiber wrap on the aerial crossing. They will begin the CIPP and wrap at the aerial crossing.		Complete Nov. 2015
	15	Fountain Park Water/SS Rehab, Ph 1	WA1403	Kodiak has completed all sanitary sewer work and all water mains and awaiting testing samples. Restoration is currently underway.		Complete Nov. 2015
	16	SCADA System Upgrade	WA1402	Design is in progress. Scope has been added to the project extending the bid to late Fall 2015.		Complete Summer 2016
OTHER	17	Cottonwood Creek Bank Stabilization	DR1401	Ark has completed the retaining wall. Remaining work is wall cap, trail, sidewalk, and rail.		Complete Fall 2015
	18	Olson & Beverly Elementary Sidewalk Improvements	ST1501	TxDOT sent LPAFA in October 2015 to be signed and returned. Once contracts are fully executed, TxDOT will review plans and be a participant of the bidding process.		Complete Summer 2016

ENGINEERING CIP MONTHLY REPORT

**NOVEMBER
2015**

CONSTRUCTION

DESIGN

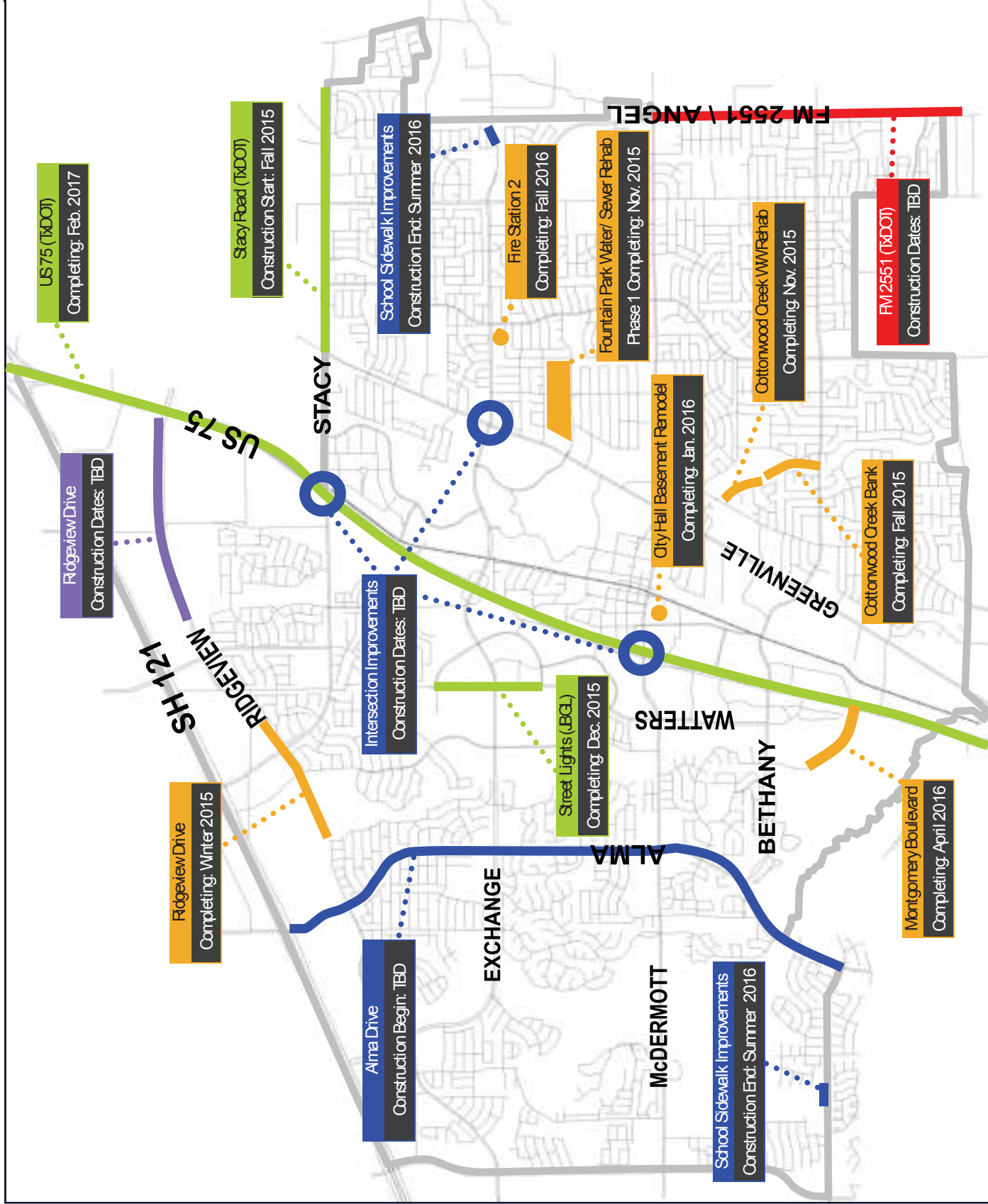
CONSTRUCTION
(By Others)

DESIGN
(By Others)

FUTURE

ENGINEERING
DEPARTMENT
214.509.4576

DIRECTOR
CHRIS
FLANIGAN





**PLANNING AND ZONING
COMMISSION**

**Regular Meeting
November 3, 2015**

ATTENDANCE:

Commissioners Present:

Jeff Cocking, Chair
Ben Trahan, 1st Vice-Chair
Stephen Platt, Jr., 2nd Vice-Chair
John Ogrizovich
Luke Hollingsworth
Michael Orr

Absent:

Shirley Mangrum

City Staff Present:

Ogden "Bo" Bass, AICP, Director of Community Development
Lee Battle, AICP, LEED AP, Assistant Planning Director
Shawn Poe, PE, Assistant Director of Engineering
Madhuri Kulkarni, Planner
David Dodd, City Attorney

Call to Order and Announce a Quorum is Present:

With a quorum of the Commissioners present, Chairman Cocking called the meeting to order at 7:00 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 October 13, 2015 and October 27, 2015, regular meeting, attached.

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 from the October 6, 2015, regular meeting.

Motion: **Upon a motion by 1st Vice-Chair Trahan, and a second by Commissioner Ogrizovich, the Commission voted 6 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.**

The motion carried.

Regular Agenda

3. Public Hearing/Replat – Conduct a Public Hearing and consider a request for a Replat for Allentown Office Park, Lots 3R, 4, and 5, Block A, being a replat of Lot 3, Block A, Allentown Office Park; generally located west of Greenville Avenue and south of Allentown Parkway, Allen, Texas. (R-9/21/15-67) [Allentown Office Park]

Chairman Cocking stated that the Planning and Zoning Commission was notified by staff that there is a legal agreement between this property and an adjacent property that has not been resolved at this time. The public hearing will be opened, but the item will be tabled to the November 17, 2015 Planning and Zoning Commission meeting.

Chairman Cocking opened the public hearing.

Motion: **Upon a motion by 2nd Vice-Chair Platt, and a second by Commissioner Hollingsworth, the Commission voted 6 IN FAVOR, and 0 OPPOSED to table the Replat for Lots 3R, 4, and 5, Block A, Allentown Office Park, generally located west of Greenville Avenue and south of Allentown Parkway, for Allentown Office Park, to the November 17, 2015 Planning and Zoning Commission meeting.**

4. Public Hearing/Replat – Conduct a Public Hearing and consider a request for a Replat for Bray Central One, Lot 13R-2A, Block G, being a replat of Lot 13R-2, Block G, Bray Central One; generally located south of Medical Drive and west of Junction Drive, Allen, Texas. (RP-10/12/15-75) [Stoneybrook Memory Care]

Ms. Madhuri Kulkarni, Planner, presented to the Commission. She stated the item is a Public Hearing and a Replat for Stoneybrook Memory Care.

Ms. Kulkarni stated that the property is located south of Medical Drive and west of Junction Drive. It is currently zoned Planned Development PD No. 108 for Office O. Surrounding zoning includes Planned Development PD No. 54 for Industrial Technology IT to the north, south, east, and west.

A Site Plan for the property was approved in October 2015 for a Long Term Care Facility. Replatting is the last step in the development process. The property is roughly 2.77 acres and is currently platted as Lot 13R-2. There are three (3) points of access into the property; two (2) access points on Medical Drive and one (1) access point on Junction Drive through a Fire lane, Access and Utility Easement. The plat also shows various easements that are required for development.

Ms. Kulkarni stated that the replat has been reviewed by the Technical Review Committee, is consistent with the approved Site Plan, and meets the standards of the Allen Land Development Code.

Chairman Cocking opened the public hearing.

Chairman Cocking closed the public hearing.

Motion: **Upon a motion by Commissioner Hollingsworth, and a second by Commissioner Orr, the Commission voted 6 IN FAVOR, and 0 OPPOSED to approve the Replat for Lot 13R-2A, Block, Bray Central One, generally**

located south of Medical Drive and west of Junction Drive, for Stoneybrook Memory Care.

5. Presentation of the Texas Chapter of the American Planning Association's "2015 Comprehensive Planning Award."

Mr. Lee Battle, Assistant Director of Community Development, stated that the Allen 2030 Comprehensive Plan was a recipient of the Comprehensive Planning Award from the Texas Chapter of the American Planning Association.

Mr. Battle stated that the Texas APA Chapter has an annual statewide award program that recognizes planning projects from communities for outstanding contributions from the Planning field. The Award's Committee is made up of practicing professional Planners from across the state that go through the process of receiving and selecting awards. In this particular case, there are five categories in which the Chapter gives awards. This year, there were about 47 submittals the committee went through in order to make their selections. They give about 2-3 awards per category. It is a notable achievement to be recognized through that process. In speaking with the members of the Award's Committee, they mentioned that Allen's Comprehensive Plan was notable as it was customized for the community and included elements unique to the City of Allen. They liked the public participation process as well. The Committee also recognized that this particular planning project was done entirely in-house and without the help of consultants, which is notable for a city of Allen's size.

Mr. Battle thanked the Planning and Zoning Commission and the community for putting in effort into this project. He congratulated everyone for the award.

Chairman Cocking thanked Mr. Battle for working on the Comprehensive Plan for two years.

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

The meeting adjourned at 7:10 p.m.

These minutes approved this _____ day of _____ 2015.

Jeff Cocking, Chairman

Madhuri Kulkarni, Planner

Director's Report from 10/13/2015 City Council Meeting

- ☐ The request to adopt an Ordinance to amend the Development Regulations of Tract M of Planned Development No. 92 and adopt a Concept Plan and Building Elevations for 3.76± acres located at the northeast corner of Stacy Road and Watters Road, for Stacy Village, was approved.
- ☐ The continued item request to adopt an Ordinance to amend the Development Regulations of Planned Development No. 108 and Adopt a Concept Plan and Building Elevations relating to 8.142± acres, generally located on the southeast corner of the intersection of Raintree Circle and Junction Drive for the Alders at Twin Creek, was tabled to the October 27, 2015 City Council meeting.

Director's Report from 10/27/2015 City Council Meeting

- ☐ The continued item request to adopt an Ordinance to amend the Development Regulations of Planned Development No. 108 and adopt a Concept Plan and Building Elevations relating to 8.142± acres, generally located on the southeast corner of the intersection of Raintree Circle and Junction Drive for the Alders at Twin Creeks, was tabled to the November 10, 2015 City Council meeting.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:

November 17, 2015

SUBJECT:

Tabled Item/Public Hearing/Replat – Continue the Public Hearing and consider a request for a Replat for Allentown Office Park, Lots 3R, 4, and 5, Block A, being a replat of Lot 3, Block A, Allentown Office Park; generally located west of Greenville Avenue and south of Allentown Parkway, Allen, Texas. (R-9/21/15-67) [Allentown Office Park]

STAFF RESOURCE:

Nabiha Ahmed
Planning Intern

**PREVIOUS BOARD/
COUNCIL ACTION:**

Zoning – LI Light Industrial
Final Plat Approved – April, 1984

BACKGROUND

The property is generally located south of Allentown Parkway and west of Greenville Avenue. The property to the north (across Allentown Parkway), the property to the south, and the property to the west are zoned for Light Industrial LI. The property to the east (across Greenville Avenue) is zoned Planned Development No. 4 for Shopping Center SC.

The property is currently platted as Lot 3 and will be subdivided into three (3) separate lots, Lots 3R, 4 and 5. There is an existing building on Lot 3R. The Site Plan for Office/Warehouse buildings was approved in May 2015 for Lots 4 and 5. Replatting the property is the last step in the development process.

The Replat is for 11.809± acres of land. There are a total of six (6) access points. There is one (1) access point on Greenville, three (3) access points on Allentown Parkway, and two (2) future 24' firelane, access, and utility easements on the property to the south. The plat also shows various easements and right-of-way dedication required for development.

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

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

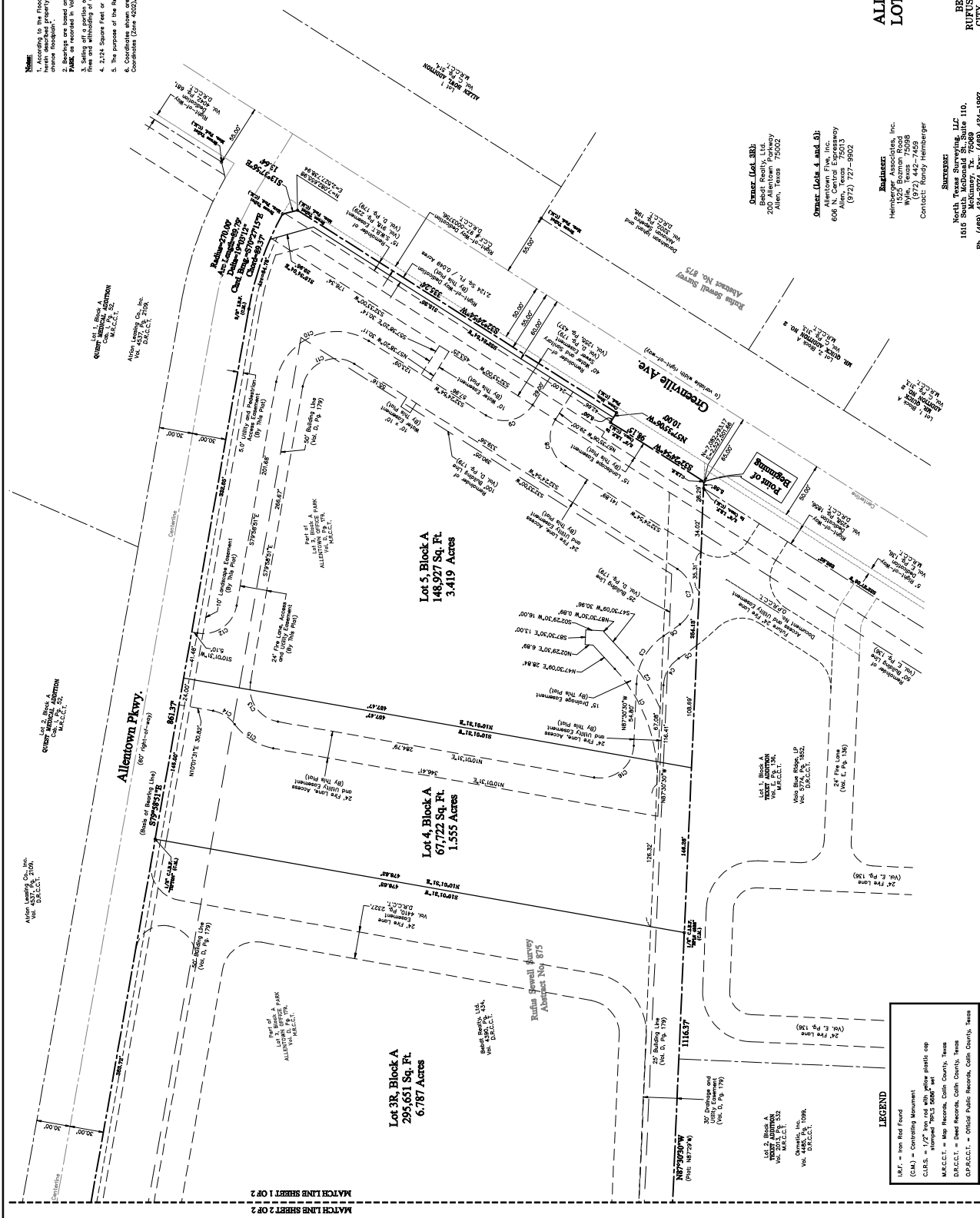
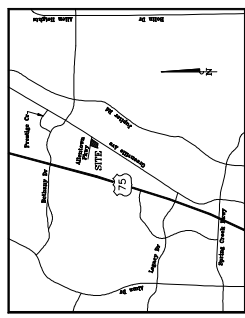
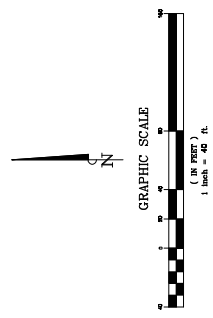
I make a motion to approve the Replat for Lots 3R, 4, and 5, Block A, Allentown Office Park, being 11.809± acres, generally located west of Greenville Avenue and south of Allentown Parkway, for Allentown Office Park.

ATTACHMENTS

Replat

- Notes:**
1. According to the Flood Insurance Rate Map of Collin County, Texas, Map No. 99050303001, Map Revised June 02, 2009, the property is located in Zone X, indicated by red line in the above referenced Flood Insurance Rate Map.
 2. All buildings are based on the preliminary plat of Allentown Office Park, as shown on the plat of **ALLENTOWN OFFICE PARK**, Lots 3R, 4 and 5, Block A, Subdivision No. 875, Collin County, Texas, M.C.C.T. No. 2000-0108.
 3. The plat of **ALLENTOWN OFFICE PARK**, Lots 3R, 4 and 5, Block A, Subdivision No. 875, Collin County, Texas, M.C.C.T. No. 2000-0108, is subject to five and withstanding of utility and building permits.
 4. 2.224 Square Feet or 0.048 acres of land have been dedicated by this plat for right-of-way for Greenville Avenue.
 5. The purpose of the Replat is to divide Lot 3 into three separate lots.
 6. Coordinates shown are based on the City of Allen GPS Control Monument No. 1 and 4, North Texas State Plane Coordinate System (NAD 83), Survey Coordinates.

Curve No.	Station	Radius	Chord	Chord Bearing	Chord Length	Chord Area
C1	1+00.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C2	1+10.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C3	1+20.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C4	1+30.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C5	1+40.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C6	1+50.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C7	1+60.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C8	1+70.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C9	1+80.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C10	1+90.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C11	2+00.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C12	2+10.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C13	2+20.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C14	2+30.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C15	2+40.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C16	2+50.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C17	2+60.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C18	2+70.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C19	2+80.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00
C20	2+90.00	100.00	100.00	N 0° 0' 0" E	100.00	0.00



ALLENTOWN OFFICE PARK
LOTS 3R, 4 AND 5, BLOCK A
 BEING A REPLAT OF
 LOT 3, BLOCK A
 ALLENTOWN OFFICE PARK
 (VOL. D, PG. 179, M.C.C.T. No. 2000-0108)
 BEING 11.83 ACRES OF THE
 RURAL SURVEY OF THE
 CITY OF ALLEN, COLLIN COUNTY, TEXAS
 Scale: 1" = 80'

Owner (Lot 3R):
 Allentown Office Park, Inc.
 200 Allentown Parkway
 Allen, Texas 75002

Owner (Lots 4 and 5):
 Allentown Office Park, Inc.
 606 Allentown Parkway
 Allen, Texas 75013
 (972) 727-9902

Surveyor:
 North Texas Surveying, LLC
 1615 South McDougal St., Suite 110,
 Richardson, Texas 75081
 Ph. (469) 424-2074 Fax. (469) 424-1897
 www.northtexasurveying.com
 Contact: Chad Balcoban

Builder:
 Heimberger Associates, Inc.
 1325 Barton Road
 Allen, Texas 75002
 Contact: Randy Heimberger

LEGEND

ALL = Iron Red Found
 C.I.A. = Controlling Monument
 C.I.A.S. = 1/2" iron rod with galvanized cap
 M.C.C.T. = Map Records, Collin County, Texas
 D.E.C.T. = Deed Records, Collin County, Texas
 O.P.S.C.T. = Official Public Records, Collin County, Texas

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: November 17, 2015

SUBJECT: Conduct a Public Hearing and consider a request for a Residential Replat for Lots 30R, Block A and Open Space Lot 38R, Bethany Mews/Pecan Homes, being a replat of Lot 30, Block A and Open Space Lot 38, Bethany Mews/Pecan Homes, generally located south of Bethany Drive and west of Claire Lane, Allen, Texas. (RR-9/28/15-68) [Bethany Mews/Pecan Homes]

STAFF RESOURCE: Madhuri Kulkarni
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: PD 96 Zoning Approved – December, 2004
PD 96 Zoning Amended – September, 2006
General Development Plan Approved - November, 2006
Preliminary Plat Approved – November, 2007
Final Plat Approved – February, 2008
PD 96 Zoning Converted to PD-105 – July, 2010
Residential Replat – December, 2012

PUBLIC NOTICE: Newspaper Notice – Published October 28, 2015
Property Owner Notices – Mailed October 30, 2015

BACKGROUND

The property is generally located south of Bethany Drive and west of Claire Lane, and is zoned Planned Development PD No. 105 for Mixed-Use MIX. The current Lot 30, Block A and Open Space Lot 38 are within the Bethany Mews/Pecan Homes subdivision, with surrounding properties also zoned Planned Development PD No. 105 for Mixed-Use MIX.

Lot 30, a residential lot, is currently at the hard corner of Claire Lane. The purpose of the replat is to separate Lot 30 into a residential lot (Lot 30R) and incorporate the remaining portion into the existing Open Space lot (Lot 38R). All other conditions remain the same. There are no impacts to existing utilities, structures, setbacks, or zoning regulations.

The Replat has been reviewed by the Technical Review Committee and meets the standards of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to approve the Residential Replat for Lots 30R, Block A and Open Space Lot 38R, Bethany Mews/Pecan Homes, generally located south of Bethany Drive and west of Claire Lane, Allen, Texas.

ATTACHMENTS

Planning & Zoning Commission
November 17, 2015
Bethany Mews/Pecan Homes Residential Replat
Page 2

Property Notification Map
Replat

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:

November 17, 2015

SUBJECT:

Conduct a Public Hearing and consider amendments to Allen Land Development Code amending Section 4.10 “Residential Accessory Use Regulations”; Section 4.15.3 “Schedule of nonresidential height and area regulations” relating to the height of accessory structures in the Office zoning district; Section 4.20.2 “Schedule of Principle Uses” relating to “Medical Clinic” and “Medical and Dental Office” uses; Section 4.20.3 “Schedule of Accessory Uses” relating to the addition of a new use titled “Telecommunications (Monopole Tower)”; Section 7.03.4.8 “Parking lot and loading area lighting”; Section 7.09.2 relating to the definition of “Sign Area”; Section 7.09.5.10. relating to design standards for certain signs; Section 7.09.9.1 relating to the location of freestanding signs; Section 7.09.11.1 relating to “Temporary Signs”; Section 7.09.11.2 relating to requiring permits for permanent institutional signs; Appendix A “Definitions” by amending the definitions of “Medical Clinics,” “Medical and Dental Offices,” and “Hospitals”; and Appendix C “Trees and Plants” by relating the list of recommended species for new plantings.

STAFF RESOURCE:

Lee Battle, AICP, LEED AP
Assistant Director

PREVIOUS COMMISSION/COUNCIL

N/A

PUBLIC NOTICE:

Newspaper Notice: Published October 29, 2015

ANTICIPATED CITY COUNCIL DATE:

December 8, 2015

BACKGROUND

The *Allen Land Development Code (ALDC)* is periodically amended to improve the effectiveness and efficiency of the code, address changing development trends and new technologies, and make changes necessary for compliance with state and federal laws.

Staff has developed a set of minor amendments to the *ALDC*. Most of these amendments are considered “clean-up” items that have minimal impact on the regulations. Attached is a “red-lined” version of the proposed amendments. Existing language is in black text, changes are shown in red, and additional explanation is provided in green text.

The proposed amendments have gone through a review and refinement process with participation from City attorneys.

STAFF RECOMMENDATION

Staff recommends approval.

RECOMMENDED MOTION

I make a motion to recommend approval of the proposed amendments to the Allen Land Development Code.

ATTACHMENTS

Red-lined version of proposed ALDC amendments
Newspaper Notice

Residential accessory use regulations

These changes bring the ALDC language in line with policies already being implemented through the building permit process. These requirements have become more critical with new developments that have smaller lots and yards.

Section 4.10.

2. *Side and Rear yards.* The required side and rear yard for any detached accessory structure is three feet from any side or rear lot line, except as follows:
 - a. If no alley exists, the rear yard shall not be less than ~~ten-five~~ feet from the rear lot line.
 - b. No accessory structure shall be located within any dedicated easement.
 - c. A garage entered from an alley or side street shall be set back from the side street or alley a minimum distance of 20 feet.
3. *Cooling towers and similar structures.* ~~Except for the~~ Air conditioning compressors and pads of detached single-family residential ~~shall be setback a minimum of 3 feet from any property line.~~ Cooling towers and similar accessory structures are required to observe all front, side or rear yards.
5. *Swimming pools.* Swimming pools (including all decking and equipment) must be located behind front building setback lines and at least three feet from any property line. ~~Any swimming pool water edge shall be a minimum of 5 feet from any primary structure.~~ All pools must be completely enclosed by a fence or wall no less than six feet in height with self-latching and self-closing gates. The latching device shall be located on the pool side a minimum of 4½ feet from the ground. Automatic electric gates may be used, provided closing action is initiated within 60 seconds after pass-through of a vehicle or persons. Temporary fencing is required during excavation.

Telecommunications (cell towers)

Federal law dictates how municipalities regulate telecommunications facilities. These amendments are intended to insure that the City remains in compliance with federal law, however, they do not change the way the City currently regulates these facilities. Cell towers are allowed as accessory uses only, and are limited to the maximum height of the zoning district (35 ft. - 45 ft.). The City encourages co-location of antennae on existing structures as an alternative.

4.20.3 Schedule of Accessory Uses

[illegible]

Section 4.15.3 Schedule of nonresidential height and area regulations

SCHEDULE OF NON-RESIDENTIAL HEIGHT AND AREA REGULATIONS													
		AO	GO	O	LR	SC	LC	GB	CC	IT	LI	HI	CF
Minimum	Front Yard Setback R-O-W > 100 ft	100	100(2)	100(2)	25(1)	25(1)	25(1)	25(1)	100(2)(3)	100(2)	100(2)(3)	50	DEVELOPMENT REGULATIONS OF THE MOST PERMISSIVE ADJACENT DISTRICT SHALL APPLY
	Front Yard Setback R-O-W < 100 ft	100	25(1)	25(1)	25(1)	25(1)	25(1)	25(1)	50(2)	50(2)	50(2)	25	
	Side Yard Setback (in feet)	20	50	10	10	10	10	10	25	25	25	25	
	Side Yard adjacent to Residential District, street or alley (in feet)	n/a	50	25	25	25	25	25	25	25	n/a	n/a	
	Rear Yard Setback (in feet)	25	0	0	0	0	0	0	25	25	50	25	
	Rear Yard adjacent to Residential District (in ft)	n/a	50	50	25	50	50	50	50	50	50	50	
	Lot size (in acres)	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
Maximum	Height (in feet)	35	45	80 (7)	35	45	45	45	160(7)	45	45	45	
	Height (in stories)	2.5	3	6 (7)	2.5	3	3	3	12(7)	3	3	3	
	Height (in ft) adjacent to Residential District within (in feet)	n/a	35	25	n/a	n/a	n/a	35	25	30	35	45	
		n/a	100	150	n/a	n/a	n/a	300	150	200	200	200	
	Additional height: front setback (in feet)	n/a	n/a	1:01	n/a	n/a	n/a	n/a	1:01	1:01	1:01	1:01	
	Above (in feet)	n/a	n/a	80	n/a	n/a	n/a	n/a	45	45	45	45	
	Front Setback for additional height (in ft)	n/a	n/a	200	n/a	n/a	n/a	n/a	200	200	200	200	
	Side/Rear Setback for additional Height (in ft.)	n/a	n/a	100	n/a	n/a	n/a	n/a	100	100	100	100	
	Percent lot coverage	30	50	50	40	50	50	n/a	n/a	n/a	n/a	n/a	
	Floor Area Ratio	n/a	0.5:1	1:01	01:01.7	01:01.3	1:01	2:01	1:01	1:02	1:01	1:01	
Retail	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0.3:1	n/a	n/a	n/a		
All exterior construction shall be 100% masonry(6)													
-1	No parking or storage permitted in front yard, except automobile parking permitted if separated at least 100 feet from a residential district.												
-2	No storage or similar uses shall be allowed in the front yard.												
-3	No parking shall be allowed within fifty feet (50'-0") of the front property line.												
-4	Deleted by Supp. 3.												
-5	Within 200 feet of any property zoned for Residential or Community Facilities.												
-6	See Appendix "A".												
-7	Maximum height of 160 feet, 12 stories , for primary structure only; all additional structures limited to 45 feet or 3 stories.												

The continuing evolution of the health care industry has caused the ALDC's definitions and categorization of these uses to become outdated. These amendments more clearly define these different health related uses and how they are regulated.

Medical Clinic – means facilities, other than hospitals and medical and dental offices, where patients are admitted for examinations and treatment by one or more physicians, on either a “walk-in” or appointment basis. Patients are treated on an outpatient basis and are not admitted for overnight treatment or observation. This classification includes emergency medical services offered exclusively on an out-patient basis, such as urgent care centers, as well as licensed facilities offering substance abuse treatment, blood banks and plasma centers, and day surgery centers. See also Medical and Dental Office.

Hospital – means a public or private institution providing medical and surgical care to the sick or injured, including surgical facilities and beds for patients to stay overnight. These establishments may include as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities as licensed by the State of Texas.

~~*Clinic, medical*, means a group of offices for three or more licensed physicians, dentists or other medical professionals to treat the sick or injured on an outpatient basis. See also *Medical office*.~~

~~*Hospital* means an institution in which there are complete facilities for diagnosis, treatment, surgery, laboratory, X-ray, and the prolonged care of bed patients. Medical clinics may have some but not all of these facilities.~~

[illegible]

Parking Lot Lighting

These amendments clean-up repetitive language in the ALDC. They do not change the way parking lot lighting is currently regulated.

Section 7.03.4.8 Parking Lot and Loading area Lighting

8. *Parking lot and loading area lighting.*

- a. The mounting height of luminary fixtures shall not exceed the following:

<i>Maximum Luminary</i>	
Parking Area	Maximum Mounting Height
0 to 50 parking spaces	14 feet
51 to 200 parking spaces	20 feet
201 or greater parking spaces	25 feet

- b. All parking lot and loading area lighting shall comply with the following requirements:

- Base cover and base, pole, light arm, and luminaire housing shall all be dark bronze in color;
- Light pole must be square straight steel **with an anchor base**;
- Luminaire shall be generally rectangular or square in shape and have either high pressure sodium or LED fixture;
- All lighting fixtures shall be fully shielded; and
- Alternative designs may be approved by the commission and must be compatible with the architecture of the building.

- c. All electric utility service facilities shall be underground;

~~e. Minimum pole standards shall be square, straight steel painted dark bronze with an anchor base except as may be otherwise approved by the commission.~~

~~d. Luminaire type shall be TXU Electric standard rectangular metal with high pressure sodium lamps. All electric utility service facilities shall be underground.~~

~~e. All lighting fixtures shall be fully shielded.~~

Signage

These amendments clean-up inconsistencies and minor conflicts in the sign regulations. See additional explanation for each section below.

Section 7.09.2

Sign area means the gross surface area of the sign, including a single surface of a sign with messages on both sides, the sum of all surfaces where two or more signs share a single structure, ~~the gross surface area of both faces of a V-shaped sign~~; and the copy area of a monument sign. In the case of an irregularly shaped sign, the sign area is calculated by enclosing the extreme limits of the sign by no more than four rectangles. The sum of the area of the rectangles shall be the gross surface area. The maximum allowable area is reduced by ten percent for the second and each subsequent rectangle used in the calculation.

This change allows the copy area of V-shaped signs to be measured the same as other monument type signs. (V-shaped signs have a maximum angle of 45 degrees).

Section 7.09.5.10

10. Attached permanent signs and freestanding signs shall be designed to resist ~~a 100-mile-per-hour lateral~~ wind load; and ~~shall be constructed~~ to receive dead load as required by the city building code. A structural engineer's seal may be required.

This change makes the ALDC consistent with the Building Code.

Section 7.09.9.1

1. No freestanding sign shall be located less than ~~30-10~~ feet from any adjacent property line nor less than 100 feet from any single-family residential district.

The existing language has the unintended effect of making it impossible to locate a freestanding sign on a lot less than 60 ft. in width. The amendment fixes this.

Section 7.09.11.1

The existing language in this table is inconsistent with the requirements in the narrative of the ALDC. This amendment corrects this inconsistency, and does not change the way banners or grand opening event signs are currently regulated.

SIGN TYPE	Maximum Height	Maximum Area (square feet)	Maximum Number	Minimum Spacing	Time Limit	Front Yard Setback (minimum in ft)	Permit Required	Additional Provisions
Zoning District								
Grand Opening" Balloons/Inflatables	*	n/a	1	n/a	21 45 days	8	Y	*limited to max. height of zoning district Limited to a Single Event

SIGN TYPE	Maximum Height	Maximum Area (square feet)	Maximum Number	Minimum Spacing	Time Limit	Front Yard Setback (minimum in ft)	Permit Required	Additional Provisions
Zoning District								
Banners and Special Events	n/a	n/a	1*	n/a	21 days	8	Y	*Maximum three (3) permits per year- minimum 90-day- between permits
Institutional	45	32	1*	n/a	21 days	8	N	

Section 7.09.11.2

The existing language in this table is inconsistent with the requirement that all permanent signs receive a building permit. This is important to insure structural and electrical elements are completed safely. This amendment fixes the inconsistency.

SIGN TYPE	Maximum Height	Maximum Copy Area (Square Feet)	Maximum Structure (includes copy area)	Maximum Number	Minimum Spacing	Front Yard Setback (minimum in ft)	Permit Required	Additional Provisions
Zoning District								
Institutional	8	32	n/a	2*	n/a	n/a	N -Y	* Per street frontage either attached to a screening wall or freestanding

Approved Trees and Plantings

This amendment updates the list of allowable trees and plantings that can be used in new developments.

Appendix C

1. *Recommended species for new plantings.* The following is a list of recommended high quality, long-living trees and shrubs which are considered suitable for local soil conditions and climate. Other species may be acceptable with approval from the parks and recreation department.

a. *Overstory (shade) trees.* Height range: 30—60 feet, minimum three-inch caliper.

Cedar Elm	Ulmus crassifolia
Lacebark (Bosque) Elm	Ulmus parvifolia 'Bosque'
Lacebark (Allee) Elm	Ulmus parvifolia 'Allee'
Pecan	Carya illinoensis
Chinese Pistache	Pistacia chinensis
Bur Oak	Quercus macrocarpa
Shumard or Texas Red Oak	Quercus shumardii or texana
Texas Ash	Fraxinus pennsylvanica
Live Oak	Quercus virginiana
Eastern Red Cedar	Juniperus virginiana
Chinquapin Oak	Quercus muhlenbergii
Gum Bumelia or Chittamwood	Bumelia lanuginosa
Black Walnut	Juglans nigra
Eastern Persimmon	Diospyrus virginiana
Shantung Maple	Acer truncatum
<u>Magnolia 'DD Blanchard'</u>	<u>Magnolia grandiflora</u>
<u>Princeton</u>	<u>Ulmus americana</u>
<u>Buckley's Oak</u>	<u>Quercus buckleyi</u>

- c. *Accent (ornamental) trees.* Height range: 10—20 feet. The following ornamental trees, with staff approval, may be substituted for the required shade trees. These ornamental trees shall have a minimum caliper of three inches.

Afghan (Eldarica) Pine	Pinus eldarica
Redbud	Cercis Canadensis
Redbud	Cercis canadensis var. 'Alba'
Crape Myrtle	Lagerstremia indica
Yaupon Holly	Ilex vomitoria
Aristocrat or Capital Pear	Pyrus calleryana
Eve's Necklace	Sophora affinis
Texas Sophora	Sophora secundiflora
Mexican Plum	Prunus Mexicana
<u>Crabapple</u>	<u>Malus augustifolia</u>

Deciduous Holly	Ilex decidua
Chaste Tree	Vitex Agnus-castus
Mexican Buckeye	Ungnadia speciosa
Desert Willow	Chilopsis linearis
Smoketree	Cotinus obovatus
Flame leaf Sumac	Rhus lanceolata
Lacey Oak	Quercus laceyi
Wax Myrtle	Myrica cerifera
Carolina Buckthorne	Rhamnus caroliniana
Rusty Blackhaw	Viburnum rufidulum
Texas Redbud	Cercis canadensis var. texensis
Foster Holly	Ilex x attenuate 'Fosteri'
Savannah Holly	Ilex x attenuata 'Savannah'
Chitalpa	Chitalpa tashkentensis
Roughleaf Dogwood	Cornus drummondii
<u>Magnolia 'Little Gem'</u>	<u>Magnolia grandiflora</u>
<u>Arizona cypress 'Blue Ice'</u>	<u>Cuppressus Arizonica</u>

e. *Ground cover:*

Purple Winter Creeper	Liriope	English Ivy
Virginia Creeper	Boston Ivy	Vinca
Honeysuckle	Monkey Grass	

**CITY OF ALLEN
NOTICE OF PUBLIC HEARINGS**

Notice is hereby given that the Planning & Zoning Commission and the Allen City Council will conduct public hearings at their regular meetings as follows in the City Hall Council Chambers, 305 Century Parkway, Allen, Texas:

Planning & Zoning Commission
Allen City Council

November 17, 2015
December 8th, 2015

7:00 p.m.
7:00 p.m.

The purpose of the hearing is to receive comment from interested members of the public regarding proposed amendments to the Allen Land Development Code relating to: Section 4.10 “Residential Accessory Use Regulations”; Section 4.15.3 “Schedule of nonresidential height and area regulations” relating to the height of accessory structures in the Office zoning district; Section 4.20.2 “Schedule of Principle Uses” relating to “Medical Clinic” and “Medical and Dental Office” uses; Section 4.20.3 “Schedule of Accessory Uses” relating to the addition of a new use titled “Telecommunications (Monopole Tower)”; Section 7.03.4.8 “Parking lot and loading area lighting”; Section 7.09.2 relating to the definition of “Sign Area”; Section 7.09.5.10. relating to design standards for certain signs; Section 7.09.9.1 relating to the location of freestanding signs; Section 7.09.11.1 relating to “Temporary Signs”; Section 7.09.11.2 relating to requiring permits for permanent institutional signs; Appendix A “Definitions” by amending the definitions of “Medical Clinics,” “Medical and Dental Offices,” and “Hospitals”; and Appendix C “Trees and Plants” by relating the list of recommended species for new plantings.

The public is invited to attend and participate or submit written comments. For further information, contact the Department of Community Development, City of Allen, 305 Century Parkway, Allen, Texas, 214-509-4160, or e-mail Patrick Blaydes at pblaydes@cityofallen.org.

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E-MAIL TO slake@acnpapers.com (PLEASE CONFIRM RECEIPT BY E-MAIL TO pconway@cityofallen.org)

CHARGE TO: 45169 (City Secretary)