



**AGENDA  
CITY OF ALLEN  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
SEPTEMBER 15, 2020 – 7:00 PM  
CONDUCTED VIA CONFERENCE**

**This City of Allen Planning and Zoning Commission meeting will be conducted with the members of the Commission and City staff participating via video conference. The facility will not be open to the public.**

Members of the public are entitled to participate remotely via broadcast by webinar. To speak remotely at the Planning and Zoning Commission Meeting, speakers must:

- Submit the online registration form found at: [PZ Speaker Registration](#) not later than 3 p.m. on Tuesday, September 15, 2020.
- Once the registration form is received, registered speakers will receive either an email or phone call providing the telephone number to call on the date of the meeting.
- Speakers must call not later than 6:45 p.m. on the date of the meeting in order to be allowed to speak. Late callers will not be accepted and will not be allowed to speak.
- Handouts or other information that a member of the public desires to provide to the Commission must be emailed to [planningsubmittals@cityofallen.org](mailto:planningsubmittals@cityofallen.org) by 3 p.m. on September 15, 2020, to ensure the information is able to be provided to the Commissioners in advance of the meeting.

The meeting will be live streamed on Allen City TV at [www.cityofallen.org/982/ACTV](http://www.cityofallen.org/982/ACTV) for those wanting to watch the meeting but not address the Commission.

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

**Pledge of Allegiance**

**Director's Report**

1. Action Taken on the Planning and Zoning Commission Items by City Council at the September 8, 2020, 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 Plan (CIP) Status Report.
3. Approve Minutes from the September 1, 2020, Planning and Zoning Commission Regular Meeting.
4. Final Plat - Consider a Request for a Final Plat for New World Academy, Block A, Lot 1, Being 0.528± Acres Situated in the McBain Jameson Survey, Abstract No. 491 and the Rufus Sewell Survey, Abstract No. 875; Generally Located Directly North of Ridgemont Drive and Approximately 288± Feet East of Greenville Avenue. (PL-071020-0010) [New World Academy]

## **Regular Agenda**

5. Final Plat - Consider a Request for a Final Plat for Lot 1, Block A, Davis at Montgomery Ridge, Phase 2, Being 4.040± Acres Located in the Thomas G. Kennedy Survey, Abstract No 500; Generally Located at the Northeast Corner of Montgomery Boulevard and Marian Drive. (PL-080720-0012) [Davis at Montgomery Ridge PH2]

## **Executive Session (As needed)**

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

## **Adjournment**

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, September 11, 2020 at 5:00 P.M.

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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.

<b>PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION</b>
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**AGENDA DATE:**

September 15, 2020

**SUBJECT:**

Action Taken on the Planning and Zoning Commission Items by City Council at the September 8, 2020, Regular Meeting.

**STAFF RESOURCE:**

Marc Kurbansade, AICP  
Director of Community Development

**BACKGROUND**

- There were no items taken to the September 8, 2020 Regular Meeting.

<b>PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	September 15, 2020
<b>SUBJECT:</b>	Capital Improvement Plan (CIP) Status Report.
<b>STAFF RESOURCE:</b>	Chris Flanigan, PE Director of Engineering
<b>PREVIOUS COMMISSION/COUNCIL ACTION:</b>	None.
<b>LEGAL NOTICES:</b>	None.
<b>ANTICIPATED COUNCIL DATE:</b>	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 September 2020

## ENGINEERING CIP REPORT - September 2020

PROJECT				STATUS / COMMENTS		CONST. DATES
ROADS	CITY	1	Allen Drive Gateway Project (US 75 Interchange)	ST1903	Huitt Zollars will be submitting 90% plans to TxDOT.	Construction Dec 2020
		2	Bethany & Heritage Traffic Signal Improvement	ST1907	Construction Complete.	Substantial Complete
		3	Traffic Signal Detection Equipment	ST1908	Waiting on TXDOT approval to bid and award the project.	TBD
		4	2020 Street and Alley Rehabilitation (Various Locations)	ST2002	Stacy Road construction completed. All locations on Jupiter Road nearing completion. Eight locations remain for the project.	Complete Fall 2020
		5	Mcdermott - Twin Creek & Suncreek Intersection	ST1909	Durable completed the signal work. Suncreek sign construction to be completed late August.	Complete Summer 2020
		6	Traffic Signal Construction Bethany & Bel-Air and Watters & Ridgeview	ST2003	Construction started at Bethany And Bel-Air.	Complete Fall 2020
		7	Ridgeview Drive Chelsea to US75	ST2000	Council Approved the PS&E contract on July 28, 2020. BW2 is starting survey work for the project.	TBD
OTHERS	8	FM 2551 (Main - Parker Rd)	ST0316	Design of widening to 6-lanes. NTMWD and TxDOT have reached an agreement on design conditions. City has provided plan comments back to TxDOT.	2022	
	9	Ridgeview / US 75 Overpass	TXDOT	TxDOT has submitted 100% utility plans to franchise for relocation. TxDOT plans to have all ROW acquired by December 2020.	Construction 2022	
	10	US75 Highmast Project	TXDOT	TxDOT has been coordinating with Allen to determine conflicts.	Construction 2022	
UTILITIES & DRAINAGE	CITY	11	Custer & Stacy Flow Meter Replacement	WA1903	Project is complete.	Substantial Complete
		12	Sloan Creek Regional Sewer	WA1904	Negotiations with three landowners ongoing. Final offers being prepared.	Complete Dec 2021
		13	Sloan Creek 24" Water	WA1904	Engineering firm to provide proposal for full PS&E design.	Construction 2021
		14	Stacy Pump Station Rehab	WA1906	Consultant is working on 90% plans.	Construction 2020
		15	CBD - RR Sanitary Sewer Improvements	WA1908	Final plans are under review. Advertising early October.	Construction 2021
		16	Windridge Water & Sanitary Sewer Rehabilitation, PH 1 & 2	WA1901	Council Approved August 25th. Construction to begin early October.	Construction Fall 2020
FACILITIES		17	Fire Station #6	PS1901	Zoning approved by council on 7/14. Site planning and approvals expected by September 2020. Phase 2 of design will then commence with an expected delivery of construction drawings in Spring of 2021. Construction date TBD.	TBD
		18	Central Fire Remodel & Expansion	PS1701	Phase 1 Completed and new fire station operational. Phase 2 construction finished. Furniture installed. AV to be installed last week of August. Completion September 7, 2020.	Completed Fall 2020
		19	City Hall Server Room HVAC	P02103	Bidding complete. Goes to Council September 22, 2020.	Complete Winter 2020
		20	City Door Safety Upgrade	CV2001	Phase 1 begun, Phase 2 to begin in September. Completion November 2020.	Complete November 2020
		21	City Hall Rotunda Reception Desk	CV2001	Bidding complete, going to council September 8, 2020.	Complete December 2020
		22	Fire Station #5 Parking Lot Repair	P02007	Council Approved Award August 25, 2020. Completion November 2020.	Complete November 2020
		23	City Hall Waterproofing	PF2004	Bidding currently with a council award date of October 27, 2020.	TBD
		24	Facility Metal Repair	P02010	Repaint of the exterior metal at several city facilities. Bidding currently with a council award date of October 13, 2020.	TBD
		25	Facility Duct Cleaning	P02101	Duct cleaning of City Hall, MCPAR, and Library, set to advertise in September with a council award date of October 27, 2020.	Complete December 2020
		26	DRN HVAC Replacement	PF2101	Replace the failing HVAC system for the pools at the Natatorium. Scheduling being worked out with Stakeholders and School to best fit with the Natatorium and AISD schedules.	Summer 2021
		27	DRN Roof Replacement	PF2102	Remove and replace the aging roof of the Natatorium. Scheduling being worked out with Stakeholders and School to best fit with the Natatorium and AISD schedules.	Summer 2021
		28	City Facility Roof Replacement	PF2103	Replace the roofs of City Hall, MCPAR, and the PDHQ. Currently under design review.	Summer 2021

■ CONSTRUCTION 
 ■ DESIGN 
 ■ DESIGN (BY OTHERS) 
 ■ CONSTRUCTION (BY OTHERS) 
 ■ FUTURE

# ENGINEERING CIP MONTHLY REPORT

September  
2020

CONSTRUCTION

DESIGN

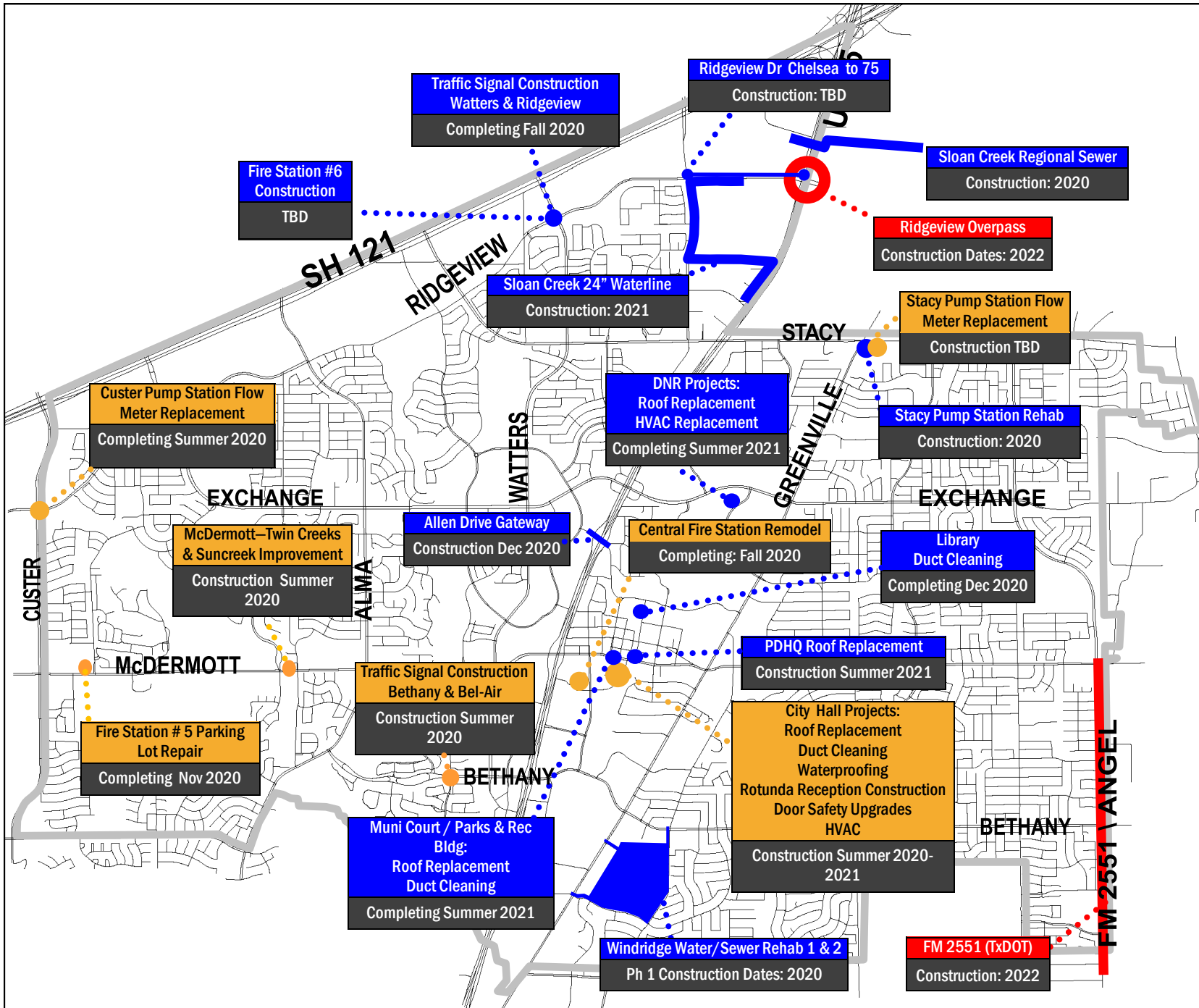
CONSTRUCTION  
(By Others)

DESIGN  
(By Others)

FUTURE

ENGINEERING  
DEPARTMENT  
214.509.4576

DIRECTOR:  
CHRIS  
FLANIGAN



<b>PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION</b>
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**AGENDA DATE:**

September 15, 2020

**SUBJECT:**

Approve Minutes from the September 1, 2020,  
Planning and Zoning Commission Regular Meeting.

**STAFF RESOURCE:**

Rolandrea Russell  
Planner

**ATTACHMENTS:**

Minutes from the September 1, 2020 Regular Meeting

**PLANNING AND ZONING COMMISSION**

**REGULAR MEETING**

**September 1, 2020**

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**ATTENDANCE:**

**Commissioners Present:**

Ben Trahan, Chair  
Stephen Platt, Jr., 1<sup>st</sup> Vice-Chair  
Michael Orr, 2<sup>nd</sup> Vice-Chair  
Gene Autrey  
Dan Metevier  
John Ogrizovich  
Elias Shaikh

**City Staff Present:**

Marc Kurbansade, AICP, Director of Community Development  
Joseph Cotton, Assistant Director of Engineering  
Shelley George, City Secretary  
Hayley Angel, AICP, Planner II  
Jordan Caudle, Planner Technician  
Kevin Laughlin, City Attorney

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

With a quorum of the Commissioners present, Chair Trahan called the meeting to order at 7:00 p.m. via Video Conference.

**Directors Report**

1. Action Taken on the Planning and Zoning Commission Items by City Council at the August 25, 2020, 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. Approve Minutes from the August 18, 2020, Planning and Zoning Commission Regular Meeting.

**Motion:** Upon a motion by 1<sup>st</sup> Vice Chair Platt, and a second by Commissioner Autrey, the Commission voted 7 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.

**The motion carried.**

**Regular Agenda**

3. Public Hearing - Conduct a Public Hearing and Consider a Request to Amend the Development Regulations of Planned Development PD No. 92 Corridor Commercial "CC" and Adopt a Zoning Exhibit, Concept Plan, Building Elevations, and Driveway Exhibit for Lot 2, Block C of Starcreek Commercial subdivision, Generally Located at the Southeastern Corner of the Intersection of Ridgeview Drive and Watters Road. (ZN-062620-0013) [Watters Ridge Allen]



Ms. Angel, Planner II, presented the item to the Commission.

Ms. Angel noted that staff is in support of the agenda item.

Collin Flynn, 6657 Virginia Pkwy #100, McKinney, TX, Applicant, gave a brief presentation of the project.

Chair Trahan opened the public hearing.

With no one speaking, Chair Trahan closed the public hearing.

The Commission discussed the screening requirements and the internal access point on the east side of the property.

**Motion:**        **Upon a motion by 2<sup>nd</sup> Vice Chair Orr, and a second by Metevier, the Commission voted 7 IN FAVOR, and 0 OPPOSED to recommend approval of the request to amend the development regulations for Planned Development PD No. 92 Corridor Commercial "CC" and Adopt a Zoning Exhibit, Concept Plan, Building Elevations, and Driveway Exhibit for Lot 2, Block C of Starcreek Commercial subdivision.**

**The motion carried.**

**Executive Session (As Needed)**

The Executive Session was not held.

**Adjournment**

The meeting adjourned at 7:28pm

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Ben Trahan, Chair

\_\_\_\_\_  
Rolandrea Russell, Planner

<b>PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	September 15, 2020
<b>SUBJECT:</b>	Consider a Request for a Final Plat for New World Academy, Block A, Lot 1, Being 0.528± Acres Situated in the McBain Jamison Survey, Abstract No. 491 and the Rufus Sewell Survey, Abstract No. 875; Generally Located Directly North of Ridgemont Drive and Approximately 288± Feet East of Greenville Avenue. (PL-071020-0010) [New World Academy]
<b>STAFF RESOURCE:</b>	Hayley Angel, AICP Senior Planner
<b>PREVIOUS COMMISSION/COUNCIL ACTION:</b>	Planned Development No. 4 - Approved October, 1981 Final Plat - Approved August, 2020
<b>LEGAL NOTICES:</b>	None.
<b>ANTICIPATED COUNCIL DATE:</b>	None.

### **BACKGROUND**

The Planning and Zoning Commission previously approved this plat at the August 4, 2020 meeting. When a City staff member attempted to file the plat at Collin County, County staff noted that the surveyor that prepared the plat incorrectly listed the lot as being in the James McBain Survey. A new application for the plat is before the Planning and Zoning Commission for consideration, and is now being correctly described as a portion of land in the McBain Jamison Survey. This is the only change that has been made to the plat since the previous meeting.

The subject property is generally located north of Ridgemont Drive and east of Greenville Avenue. The properties to the north and west are zoned Planned Development PD No. 4 Shopping Center SC. To the east, the properties are zoned Single-Family Residential R-5. To the south, across Ridgemont Drive, the properties are zoned Planned Development PD No. 7 Single-Family.

The property is zoned Planned Development No. 4 Shopping Center SC. A Revised Site Plan for the property was approved in May 2020. Platting is the last step in the development process.

The Final Plat shows one lot at a total of 0.528± acres. Both points of access into the property are on Ridgemont Drive. The plat also shows various easements required for development of the property.

The Final Plat has been reviewed by the Technical Review Committee and is generally consistent with the Site Plan and meets the requirements of the Allen Land Development Code.

**STAFF RECOMMENDATION**

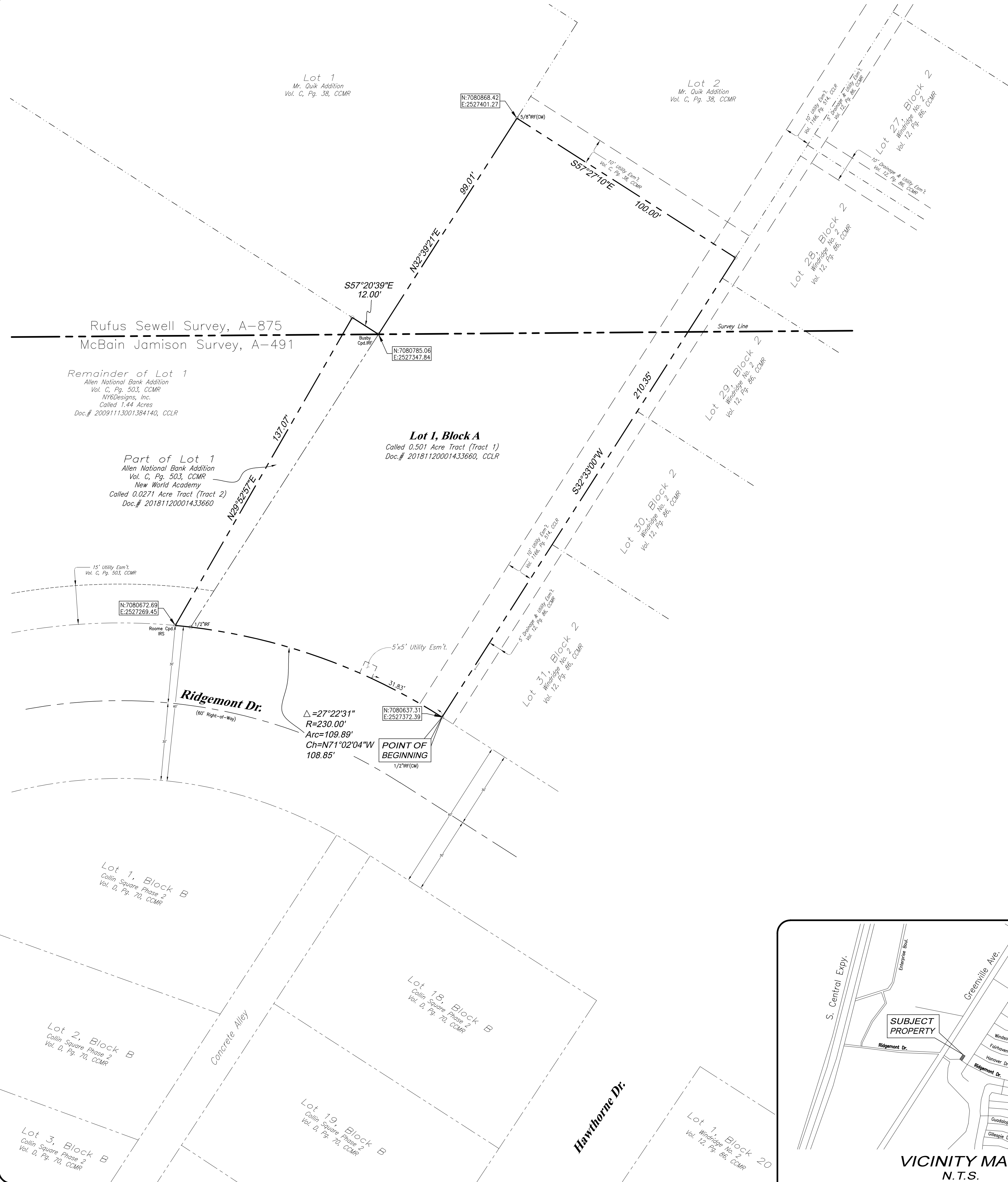
Staff recommends approval.

**MOTION**

*I move to approve the Final Plat of New World Academy, Block A, Lot 1, as presented.*

**ATTACHMENTS:**

Final Plat



OWNER'S CERTIFICATE

STATE OF TEXAS §  
COUNTY OF COLLIN §

WHEREAS, **New World Academy LLC**, is the owner of a Tract 1: 0.501 acre tract and a Tract 2: 0.0271 acre tract as described under Document No. 20181120001433660 of the Collin County Land Records, and being situated in the State of Texas, County of Collin, and City of Allen, being part of the Rufus Sewell Survey, Abstract No. 875 and the McBain Jamison Survey, Abstract No. 491 with said premises being more particularly described as follows:

BEGINNING at a 1/2" iron rod found in the curving north right-of-way line of Ridgemont Drive (60' Right-of-Way) and marking the southeast corner of said premises, the southeast corner of said 0.501 acre tract, and the southwest corner of the southwest of Lot 31, Block 2 of Windridge No. 2 Addition as recorded in Volume 12, Page 86 of the Collin County Map Records;

THENCE with curving north right-of-way line of Ridgemont Drive, and the south line of said premises, said 0.501 acre tract, and 0.0271 acre tract, northwesterly along a curve to the left having a central angle of 27°22'31", with a radius of 230.00 feet, for an arc distance of 109.89 feet (chord = North 71°02'-04" West, 109.85 feet) to a Roome capped iron rod set marking the southwest corner of said 0.0271 acre tract, the southwest corner of said premises, and being in the south line of Allen National Bank Addition as recorded in Volume C, Page 503 of the Collin County Map Records;

THENCE departing said right-of-way, crossing through said Allen National bank Addition, with the west line of said 0.0271 acre tract and said premises, North 29°52'57" East, 137.07 feet to a point for corner in an existing bollard and being in the north line of said Addition, and marking the northwest corner of said 0.0271 acre tract;

THENCE with the north line of said Addition, said 0.0271 acre tract, and said premises, South 57°20'39" East, 12.00 feet to a Busby capped iron rod found marking the northeast corner of said Addition, the northeast corner of said 0.0271 acre tract, the southeast corner of a Lot 1 of Mr. Quik Addition as recorded in Volume C, Page 38 of the Collin County Map Records, and being in the west line of said 0.501 acre tract;

THENCE with the west line of said 0.501 acre tract, said premises, and the east line of said Lot 1, North 32°39'21" East, 99.01 feet to a 5/8" iron rod found marking the northwest corner of 0.501 acre tract, said premises, and a common ell corner for Lots 1 and 2 of said Mr. Quik Addition;

THENCE with the north line of said 0.501 acre tract, said premises, and the southerly line of Lot 2, South 57°27'10" East, 100.00 feet to a point marking the northeast corner of said 0.501 acre tract, said premises, the southeast corner of Lot 2, and being in the west line of Lot 28, Block 2 of the aforementioned Windridge No. 2 Addition;

THENCE with the east line of said 0.501 acre tract, said premises, and the west line of Lots 28 thru 31 of said Addition, South 32°33'00" West, 210.35 feet to the place of beginning and containing 23,004 square feet or 0.528 acres of land.

OWNER'S DEDICATION & ACKNOWLEDGEMENT

STATE OF TEXAS §  
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS:

That, **New World Academy LLC**, through the undersigned authority, does hereby adopt this plat designating the described property as **Final Plat of Lot 1, Block A of New World Academy**, an addition to the City of Allen, Texas and does hereby dedicate to the public use forever the street and alleys thereon; and does hereby dedicate the easement strips shown on the plat for mutual use and accommodation of all public utilities desiring to use, or using same. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over or across the easement strips on said plat. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements, or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of these easement strips, and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

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

WITNESS, MY HAND, this \_\_\_\_ day of \_\_\_\_\_, 2020.

By: Faranak Noudoust (President)

Signature & Title

ACKNOWLEDGEMENT

STATE OF TEXAS §  
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this, on this day personally appeared **Faranak Noudoust**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purpose and consideration therein expressed.

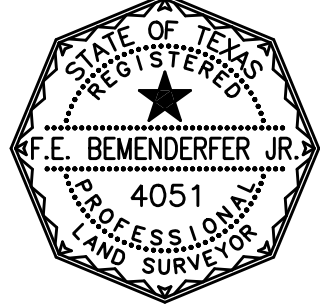
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §  
COUNTY OF COLLIN §

THAT I, F. E. Bemenderfer, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon shall be properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Allen, Texas.



ACKNOWLEDGEMENT

STATE OF TEXAS §  
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared **F.E. Bemenderfer, Jr.**, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged to me that the same was executed for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public in and for the State of Texas

Approved

Attest

Chairperson, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Date Executed Pro-forma

Date

Mayor

The undersigned, The City Secretary of the City of Allen, Texas, hereby certifies that the foregoing **Final Plat of Lot 1, Block A of New World Academy**, to the City of Allen was submitted to the Planning and Zoning Commission and approved by it on the \_\_\_\_ day of \_\_\_\_\_, 2020.

City Secretary, City of Allen

Legend	
Roome Capped Iron Rod Set	Roome Capped Iron Rod Set
DRCT	Deed Records, Collin County, Texas
PRCT	CPAT Records, Collin County, Texas
IRF	Iron Rod Found
CM	Controlling Monument

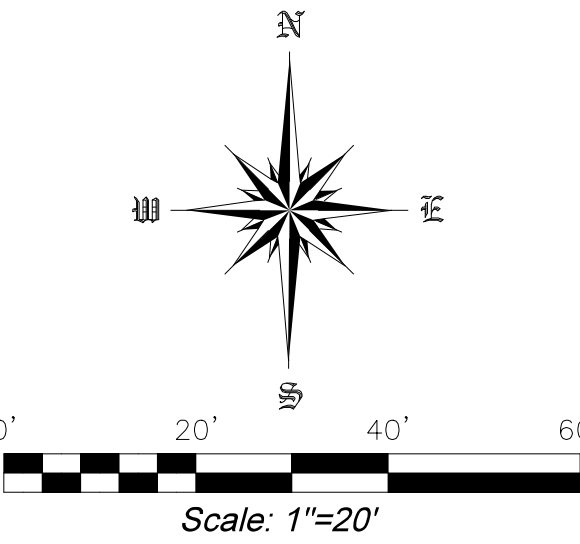
Flood Note: No part of the property described herein lies within a Special Flood Hazard Area according to the Federal Emergency Management Agency Flood Insurance Rate Map, Community-Panel No. 48085C0385 J, present effective date of map June 2, 2009, herein property situated within Zone X (unshaded). The flood statement does not imply that the property and/or structures will be free from flooding or flood damage. On occasion, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

Notes: 1) Survey was performed without the benefit of a title commitment. 2) Subject property affected by any or all easements of record. 3) Basis of bearing deed under Doc. No. 20181120001433660 of the Collin County Land Records. 4) State Plane Coordinates, North Central Zone, Zone 5351, Datum NAD83 based off City of Allen Control Monument No. 1.

Owner/Developer:  
New World Academy LLC  
505 Ridgemont Dr  
Allen, TX 75002  
Attn: Faranak Noudoust  
(214-517-6717)  
noudoust@gmail.com

Surveyor:  
Roome Land Surveying  
2000 Avenue G, Ste. 810  
Plano, TX 75074  
Attn: Fred Bemenderfer  
(972) 423-4372  
fredbemenderfer@aol.com

No.	Revision/Issue	Date



**Final Plat of**  
**Lot 1, Block A**  
**New World Academy**  
**0.528 Gross Acres**  
**McBain Jamison Survey, Abstract No. 491**  
**Rufus Sewell Survey, Abstract No. 875**  
**City of Allen, Collin County, Texas**  
**September 4, 2020**

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**Roome**  
**Land Surveying**  
2000 Avenue G, Suite 810  
Plano, Texas 75074  
Phone (972) 423-4372 / Fax (972) 423-7523  
www.roomesurveying.com / Firm No. 10013100

<b>PLANNING AND ZONING COMMISSION AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	September 15, 2020
<b>SUBJECT:</b>	Consider a Request for a Final Plat for Lot 1, Block A, Davis at Montgomery Ridge, Phase 2, Being 4.040± Acres Located in the Thomas G. Kennedy Survey, Abstract No 500; Generally Located at the Northeast Corner of Montgomery Boulevard and Marian Drive. (PL-080720-0012) [Davis at Montgomery Ridge PH2]
<b>STAFF RESOURCE:</b>	Rolandrea Russell Planner
<b>PREVIOUS COMMISSION/COUNCIL ACTION:</b>	Planned Development No. 121 - Approved August, 2015 Preliminary Plat - Approved March, 2016 Planned Development No. 121 - Amended July 2017
<b>LEGAL NOTICES:</b>	None
<b>ANTICIPATED COUNCIL DATE:</b>	None

### **BACKGROUND**

The subject property is generally located at the northeast corner of Montgomery Boulevard and Marian Drive. The properties to the north are zoned Planned Development PD No. 76 Single-Family R-7. The properties to the east, south and west are zoned Planned Development PD No. 121 Mixed Use MIX.

The property is zoned Planned Development PD No. 121 Mixed Use MIX. The Concept Plan approved with the Planned Development zoning included two Urban Residential buildings within the overall development. The first Urban Residential building is currently under construction. The subject property is the second phase of the development and a Site Plan was approved in June 2020. Platting is the last step in the development process.

The Final Plat shows one lot at a total of 4.040± acres. There are two points of access into the development--one through Montgomery Boulevard and one through Maverick Drive. The plat also shows various easements required for development of the property.

The applicant has requested to change the location of a water easement subsequent to the review of the Final Plat that is included in this agenda item. The Technical Review Committee has not reviewed the location of this new easement. In order to ensure that the Final Plat is generally consistent with the approved Site Plan and meets the requirements of the Allen Land Development Code, staff is recommending to approve the Final Plat with the condition that the relocated easement be evaluated by the Technical Review Committee. Pursuant to Section 8.03.1.4 of the ALDC, these conditions will need to be approved by Planning and Zoning Commission at a future meeting.

### **STAFF RECOMMENDATION**

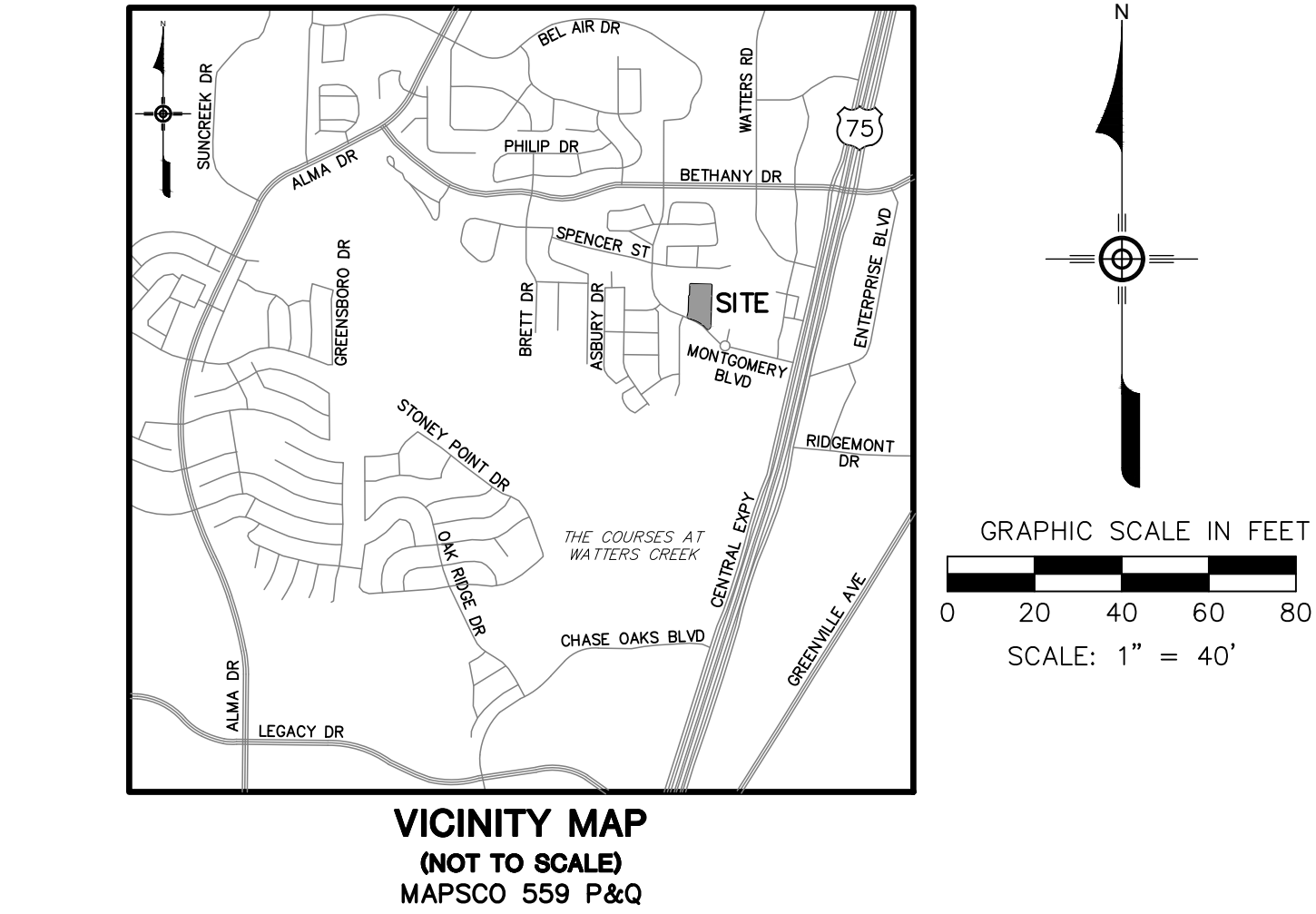
Staff recommends approval with conditions. Staff recommends approval with conditions pending additional review by the Technical Review Committee.

### **MOTION**

*I move to approve with conditions the Final Plat of Lot 1, Block A, Davis at Montgomery Ridge, Phase 2, as presented.*

### **ATTACHMENTS:**

Final Plat



**OWNER'S CERTIFICATION**

WHEREAS DD MONTGOMERY BLVD 4.3, LLC IS THE OWNER OF A 4.040 ACRE (175,967 SQUARE FEET) TRACT OF LAND SITUATED IN THE THOMAS G. KENNEDY SURVEY, ABSTRACT NO. 500, CITY OF ALLEN, COLLIN COUNTY, TEXAS, AND BEING ALL OF THE REMAINDER OF A CALLED 4.295 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO DD MONTGOMERY BLVD 4.3, LLC, RECORDED IN INSTRUMENT NUMBER 20180921001189060, OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS (O.P.R.C.C.T.); SAID 4.040 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A 5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" FOUND FOR THE NORTHWEST CORNER OF SAID 4.295 ACRE TRACT OF LAND, SAME BEING THE NORTHEAST CORNER OF LOT 4, BLOCK X OF MONTGOMERY RIDGE, PHASE III, AN ADDITION TO THE CITY OF ALLEN ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2019, PAGE 3, PLAT RECORDS OF COLLIN COUNTY, TEXAS (P.R.C.C.T.) AND BEING IN THE SOUTH LINE OF BLOCK A OF ANGEL FIELD EAST, AN ADDITION TO THE CITY OF ALLEN ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2017, PAGE 421, P.R.C.C.T.;

THENCE, SOUTH 88°17'55" EAST ALONG THE COMMON LINE OF SAID 4.295 ACRE TRACT OF LAND AND SAID BLOCK A, A DISTANCE OF 304.68 FEET TO CUT "X" IN CONCRETE FOUND FOR THE NORTHEAST CORNER OF SAID 4.295 ACRE TRACT OF LAND SAME BEING THE NORTHWEST CORNER OF LOT 1, BLOCK A OF DAVIS APARTMENTS AT MONTGOMERY RIDGE, PHASE II, AN ADDITION TO THE CITY OF ALLEN ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2018, PAGE 493, P.R.C.C.T.;

THENCE, DEPARTING SAID COMMON LINE, ALONG THE WEST LINE OF SAID LOT 1, BLOCK A, THE FOLLOWING CALLS:

SOUTH 01°40'46" WEST, A DISTANCE OF 609.60 FEET TO A POINT FOR CORNER BEING THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS POINT WHICH BEARS NORTH 88°35'28" WEST, A DISTANCE OF 43.00 FEET;

SOUTHWESTERLY WITH SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 47°17'14" FOR AN ARC LENGTH OF 35.49 FEET, A CHORD BEARING OF SOUTH 25°03'09" WEST, AND A CHORD DISTANCE OF 34.49 FEET TO A CUT "X" IN CONCRETE SET FOR CORNER;

SOUTH 49°14'20" WEST, A DISTANCE OF 17.52 FEET TO A CUT "X" IN CONCRETE SET FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK A, AND BEING IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MONTGOMERY BOULEVARD (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY);

THENCE, ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID MONTGOMERY BOULEVARD THE FOLLOWING CALLS:

NORTH 41°06'49" WEST, A DISTANCE OF 4.80 FEET TO A CUT "X" IN CONCRETE SET FOR THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 132.00 FEET;

NORTHWESTERLY WITH SAID CURVE, TO THE LEFT, THROUGH A CENTRAL ANGLE OF 33°40'47", FOR AN ARC LENGTH OF 290.97 FEET, A CHORD BEARING OF NORTH 57°57'13" WEST, AND A CHORD DISTANCE OF 286.80 FEET TO A CUT "X" IN CONCRETE FOUND FOR THE POINT OF TANGENCY;

NORTH 74°47'37" WEST, A DISTANCE OF 43.31 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE SOUTH END OF A CORNER AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID MONTGOMERY BOULEVARD WITH THE EAST RIGHT-OF-WAY LINE OF MARIAN DRIVE (64-FOOT PUBLIC RIGHT-OF-WAY);

THENCE NORTH 29°47'37" WEST, ALONG SAID CORNER CLIP A DISTANCE OF 21.21 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "STANTEC" SET FOR THE NORTH END OF SAID CORNER CLIP;

THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID MARIAN DRIVE THE FOLLOWING CALLS:

NORTH 151°11'53" EAST, A DISTANCE OF 2.15 FEET TO A 5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" FOUND FOR CORNER;

NORTH 151°22'31" EAST, A DISTANCE OF 42.23 FEET TO A POINT FOR BEING BEING THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 132.00 FEET;

NORTHEASTERLY WITH SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 13°29'56", FOR AN ARC LENGTH OF 31.10 FEET, A CHORD BEARING OF NORTH 08°27'29" EAST, AND A CHORD DISTANCE OF 31.03 FEET TO A POINT FOR CORNER AND THE POINT OF TANGENCY;

NORTH 01°42'31" EAST, A DISTANCE OF 223.40 FEET TO A 5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" FOUND FOR THE SOUTH END OF A CORNER CLIP AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID MARIAN DRIVE WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID MARIAN DRIVE (64-FOOT PUBLIC RIGHT-OF-WAY);

THENCE NORTH 46°42'30" EAST, ALONG SAID CORNER CLIP A DISTANCE OF 14.15 FEET TO A 5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" FOUND FOR THE NORTH END OF SAID CORNER CLIP;

THENCE SOUTH 88°17'29" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID MAVERICK DRIVE A DISTANCE OF 1.58 FEET TO A 5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "JACOBS" FOUND FOR THE SOUTH END OF THE EAST TERMINUS LINE OF SAID MAVERICK DRIVE;

THENCE NORTH 01°42'31" EAST, ALONG SAID TERMINUS LINE AT A DISTANCE OF 64.00 FEET PASSING THE NORTH END OF SAID TERMINUS LINE, SAME BEING THE SOUTHEAST CORNER OF SAID LOT 4, BLOCK X, CONTINUING ALONG THE EAST LINE OF SAID LOT 4, BLOCK X IN ALL FOR A TOTAL DISTANCE OF 169.12 FEET TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 4.040 ACRES OR 175,967 SQUARE FEET OF LAND.

**OWNER'S DEDICATION**

NOW ALL MEN BY THESE PRESENTS:

THAT DD MONTGOMERY BLVD 4.3, LLC, THROUGH THE UNDERSIGNED AUTHORITY, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE DESCRIBED PROPERTY AS **DAVIS AT MONTGOMERY RIDGE, PHASE 2, LOT 1, BLOCK A**, AN ADDITION TO THE CITY OF ALLEN, TEXAS, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREET AND ALLEYS THEREON; AND DOES HEREBY DEDICATE THE EASEMENT STRIPS SHOWN ON THE PLAT FOR MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE, OR USING SAME. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENT STRIPS ON SAID PLAT ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS, OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENT STRIPS; AND ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENT STRIPS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

THIS PLAT IS APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF ALLEN, TEXAS.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

**DD MONTGOMERY BLVD 4.3, LLC, A GEORGIA LIMITED LIABILITY COMPANY**

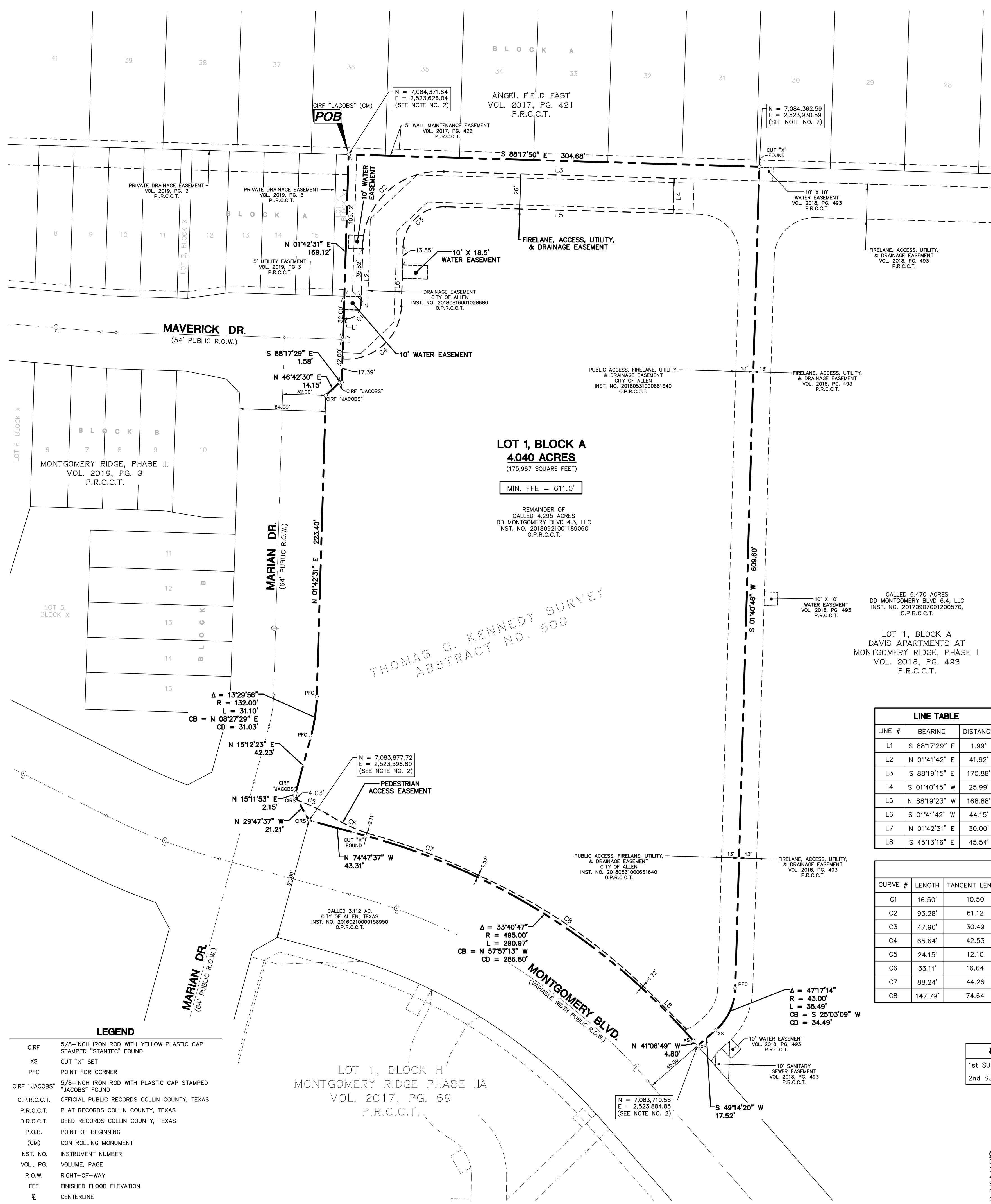
BY: **MORROW INVESTORS, INC., A GEORGIA CORPORATION, ITS MANAGER**

BY: **FRED S. HAZEL, VICE PRESIDENT**

**STATE OF GEORGIA** **COUNTY OF HENRY**

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE, ON THIS DAY PERSONALLY APPEARED **FRED S. HAZEL**, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF GEORGIA



**SURVEYOR'S CERTIFICATE**

THAT I, MICHAEL J. MURPHY, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON SHALL BE PROPERLY PLACED, UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ALLEN, TEXAS.

**Preliminary**

This document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

**For Review Purposes Only**

Michael J. Murphy, R.P.L.S.  
Registration No. 5724  
September 4, 2020

**STATE OF TEXAS** **COUNTY OF COLLIN**

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE, ON THIS DAY PERSONALLY APPEARED MICHAEL J. MURPHY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_

CHAIRPERSON PLANNING & ZONING COMMISSION \_\_\_\_\_ SECRETARY PLANNING & ZONING COMMISSION \_\_\_\_\_

DATE \_\_\_\_\_ DATE \_\_\_\_\_

EXECUTED PRO-FORMA \_\_\_\_\_

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

THE UNDERSIGNED, THE CITY SECRETARY OF THE CITY OF ALLEN, TEXAS, HEREBY CERTIFIES THAT THE FOREGOING FINAL PLAT OF **DAVIS AT MONTGOMERY RIDGE, PHASE 2, LOT 1, BLOCK A**, SUBDIVISION OR ADDITION TO THE CITY OF ALLEN WAS SUBMITTED TO THE PLANNING AND ZONING COMMISSION AND APPROVED BY IT ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

CITY SECRETARY, CITY OF ALLEN

**GENERAL NOTES**

- BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM (NORTH CENTRAL ZONE, NAD 83) BASED ON LEICA GEOSYSTEMS NORTH TEXAS SMARTNET NETWORK, DISTANCES ADJUSTED TO SURFACE USING AN AVERAGE COMBINED SCALE FACTOR OF 0.999848032488.
- STATE PLANE COORDINATES SHOWN HEREON REFER TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (NORTH CENTRAL ZONE, 4202; NAD83(CORS98)EPOCH 2002.0) AS DERIVED FROM GPS VECTORS OBTAINED BY RTK METHODS.
- APPLICANT SHALL COMPLY WITH CITY ORDINANCE, CHAPTER 6, HEALTH AND ENVIRONMENT; ARTICLE III, SOLID WASTE; SECTIONS 6-51 TO SECTION 6-80
- APPLICANT SHALL COMPLY WITH ALL REGULATIONS AND REQUIREMENTS OF V.T.C.A. ADMINISTRATIVE CODE TITLE 30, CHAPTER 344 RULES OF IRRIGATION SET FORTH BY THE STATE OF TEXAS; AND REQUIREMENTS FOR IRRIGATION SET FORTH BY THE CITY OF ALLEN LAND DEVELOPMENT CODE SECTION 7.05.8 AND ALL REGULATIONS AND REQUIREMENTS SET FORTH BY ALLEN WATER CONSERVATION AND DROUGHT CONTINGENCY AND EMERGENCY RESPONSE PLAN.
- NO STRUCTURES, MECHANICAL EQUIPMENT, POOLS OR POOL APPARATUS ARE ALLOWED TO ENCR OACH WITHIN ANY EASEMENT. FENCES ARE ALLOWED BY PERMIT ONLY.

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S 88°17'29" E	1.99'
L2	N 01°41'42" E	41.62'
L3	S 88°19'15" E	170.88'
L4	S 01°40'45" W	25.99'
L5	N 88°19'23" W	168.88'
L6	S 01°41'42" W	44.15'
L7	N 01°42'31" E	30.00'
L8	S 45°13'16" E	45.54'

CURVE TABLE					
CURVE #	LENGTH	TANGENT LENGTH	RADIUS	DELTA	CHORD LENGTH
C1	16.50'	10.50	10.50'	90°00'29"	14.85'
C2	93.28'	61.12	56.64'	94°21'38"	83.09'
C3	47.90'	30.49	30.50'	89°58'54"	43.13'
C4	65.64'	42.53	40.57'	92°41'47"	58.71'
C5	24.15'	12.10	152.45'	9°04'32"	24.12'
C6	33.11'	16.64	136.95'	13°51'09"	33.03'
C7	88.24'	44.26	449.88'	11°14'18"	88.10'
C8	147.79'	74.64	428.87'	19°44'40"	147.06'

SUBMITTAL LOG	
1st SUBMITTAL	08/07/2020
2nd SUBMITTAL	09/08/2020

**OWNER:** DD MONTGOMERY BLVD 4.3, LLC  
C/O DAVIS DEVELOPMENT, INC.  
403 CORPORATE CENTER DRIVE, SUITE 201  
STOCKBRIDGE, GA 30281  
PH: (770) 474-4345  
CONTACT: LANCE A. CHERNOW

**ENGINEER:** SURGEON & NIPLE, INC.  
3 SUGAR CREEK CENTER BLVD, SUITE 610  
SUGARLAND, TEXAS 77478  
PH: (281) 980-7705  
TBPELS FIRM # F-10834  
CONTACT: THOMAS LUNZMAN

**SURVEYOR:** STANTEC CONSULTING SERVICES INC.  
6080 TENNYSON PARKWAY, SUITE 200  
DALLAS, TEXAS 75024  
PH: (214) 473-2463  
CONTACT: MICHAEL J. MURPHY, R.P.L.S.  
TBPELS REGISTRATION NO. 10194229

**FINAL PLAT**  
**DAVIS AT MONTGOMERY RIDGE, PHASE 2**  
**LOT 1, BLOCK A**

AN ADDITION TO THE CITY OF ALLEN, COLLIN COUNTY, TEXAS.  
LOCATED IN THE THOMAS G. KENNEDY SURVEY, ABSTRACT NO. 500  
CITY OF ALLEN, COLLIN COUNTY, TEXAS.

**1 LOT - 4.040 ACRES**  
**SEPTEMBER 04, 2020**  
**SHEET 1 OF 1**