

# AGENDA CITY OF ALLEN PLANNING AND ZONING COMMISSION REGULAR MEETING TUESDAY, JULY 19, 2022 – 7:00 PM CITY COUNCIL CHAMBERS ALLEN CITY HALL 305 CENTURY PARKWAY ALLEN, TEXAS 75013

- 1. Call to Order and Announce a Quorum is Present.
- 2. Pledge of Allegiance.
- 3. 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.)

- 3.1 Receive the Director's Report on action taken on the Planning and Zoning Commission items by City Council at the July 12, 2022, Regular Meeting.
- 3.2 Approve Minutes from the July 5, 2022, Planning and Zoning Commission Regular Meeting.
- 3.3 Consider a request for a Replat of Lot 1, Block X, and Lots 1, 2, and 3, Block D, The Farm; generally located at the northeast corner of Alma Drive and Blue Tractor Lane. (PL-062422-0012) [West Lake Park]

#### 4. Regular Agenda.

- 4.1 Conduct a Public Hearing and consider a request to amend the development regulations in Area 1 of Planned Development No. 3 with a base zoning of Light Industrial to authorize Tract KB, Allen Business Centre II, to be developed and used as a Medical or Dental Office as a permitted use; generally located directly south of Prestige Circle and approximately 500 feet west of Greenville Avenue (and commonly known as 22 Prestige Circle). [ZN-061722-0012] (22 Prestige)
- 4.2 Conduct a Public Hearing and consider a request to amend and restate Specific Use Permit No. 167 authorizing an approximately 4,775 square foot portion of a building located on Lot 1, Block A, Starcreek Village and to remove the section pertaining to change in ownership on property; generally located at the southwestern corner of the intersection of State Highway 121 and Watters Road (and commonly known as 975 State Highway 121, Suite 190). (ZN-062722-0001) [Cigar Lounge]

#### 5. 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.

## 6. 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, July 15, 2022, 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.

AGENDA DATE: July 19, 2022

**AGENDA CAPTION:** Receive the Director's Report on action taken on the

Planning and Zoning Commission items by City

Council at the July 12, 2022, Regular Meeting.

STAFF RESOURCE: Marc Kurbansade, Director of Community

Development

STRATEGIC PLANNING GOAL: Vibrant Community with Lively Destinations and

Successful Commercial Centers.

#### **BACKGROUND**

At the July 12, 2022, Regular Meeting, City Council approved the request to amend Planned Development No. 3 for Armor Brewing and the request to amend Planned Development No. 127 for TCC Custer Master Plan.

AGENDA DATE: July 19, 2022

**AGENDA CAPTION:** Approve Minutes from the July 5, 2022, Planning

and Zoning Commission Regular Meeting.

STRATEGIC PLANNING GOAL: Financially Sound and Transparent City

Government.

#### **MOTION**

I make a motion to approve the minutes from the July 5, 2022, Planning and Zoning Commission Regular Meeting.

## **ATTACHMENT(S)**

Minutes

#### PLANNING AND ZONING COMMISSION

#### REGULAR MEETING July 5, 2022

#### **ATTENDANCE:**

#### **Commissioners Present:**

Dan Metevier, Chair Michael Smiddy, 1<sup>st</sup> Vice-Chair Kenneth Cook, 2<sup>nd</sup> Vice-Chair Elias Shaikh Brent Berg Gary Stocker

#### **Commissioners Absent:**

Jason Wright

#### **City Staff Present:**

Marc Kurbansade, AICP, Director of Community Development Joseph Cotton, P.E., Assistant Director of Engineering Hayley Angel, AICP, Planning Manager Kim Yockey, AICP, Senior Planner Jessica Johnsen, Planner Jordan Caudle, Planner Kevin Laughlin, City Attorney

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

With a quorum of the Commissioners present, Chair Metevier called the meeting to order at 7:00 p.m. in the City Hall Council Chambers Room at Allen City Hall, 305 Century Parkway, Allen, Texas, 75013.

#### 2. Pledge of Allegiance.

#### 3. <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.)

- 3.1 The Director of Community Development discussed the action taken on the Planning Commission items by City Council at the June 28, 2022, Regular Meeting.
- 3.2 Approve Minutes from the June 21, 2022, Planning and Zoning Commission Workshop Meeting.
- 3.3 Approve Minutes from the June 21, 2022, Planning and Zoning Commission Regular Meeting.
- 3.4 Consider a request for a Preliminary Plat for Sloan Corners West, being 260.333 acres in the Jonathan Phillips Survey, Abstract No. 719, generally located at the northeastern corner of the intersection of Ridgeview Drive and Chelsea Boulevard. (PL-Pre-061022-0004) [Sloan Corners West]

Planning and Zoning Commission July 5, 2022 Page 2

**Motion:** 

Upon a motion by Commissioner Berg, and a second by Commissioner Stocker, the Commission voted 6 IN FAVOR and 0 OPPOSED to approve the Consent Agenda items as presented.

The motion carried.

#### 4. Regular Agenda.

4.1 Conduct a Public Hearing and consider a request to amend the Development Regulations of Tract 13 of Planned Development No. 54 with a Base Zoning of Shopping Center and to adopt a Concept Plan and Elevations for a property generally located north of McDermott Drive and approximately 864 feet east of Alma Drive (and commonly known as 1210 W. McDermott Drive). (ZN-052022-0008) [T-Mobile Monopole Conversion]

Ms. Angel presented the item to the Commission and stated that staff recommends approval of the item.

Chair Metevier opened the public hearing.

One individual spoke in favor of the project, Haley Peck, applicant, of Frisco, TX gave a detailed summary of the item.

Chair Metevier closed the public hearing.

Commissioners discussed adding additional equipment and aesthetics to the existing monopole.

**Motion:** 

Upon a motion by Commissioner Stocker, and a second by Commissioner Smiddy, the Commission voted 6 IN FAVOR and 0 OPPOSED to recommend approval of an ordinance to amend Planned Development No. 54 with a base zoning of Shopping Center, subject to the Development Regulations, Concept Plan, and Elevations, as presented.

The motion carried.

#### 5. Executive Session. (As needed)

The Executive Session was not held.

#### 6. Adjournment.

The meeting adjourned at 7:17 p.m.

These minutes were approved this 19th day of July 2022.

Dan Metevier, CHAIR

Jessica Johnsen, PLANNER

AGENDA DATE: July 19, 2022

**AGENDA CAPTION:** Consider a request for a Replat of Lot 1, Block X,

and Lots 1, 2, and 3, Block D, The Farm; generally located at the northeast corner of Alma Drive and Blue Tractor Lane. (PL-062422-0012) [West Lake

Park]

STAFF RESOURCE: Jordan Caudle, Planner

**BOARD/COMMISSION ACTION:** Final Plat – Approved February 2021

**PREVIOUS COUNCIL ACTION:** Planned Development No. 72 - Approved October

1986

Planned Development No. 72 - Approved October

1998

Planned Development No. 72 - Approved March

2005

Planned Development No. 134 - Approved January

2018

Planned Development No. 134A - Approved July

2020

Planned Development No. 134A - Approved

September 2021

STRATEGIC PLANNING GOAL: Vibrant Community with Lively Destinations and

Successful Commercial Centers.

#### **BACKGROUND**

The subject property is located at the northeast corner of Alma Drive and Blue Tractor Lane (commonly known as 2290 North Alma Drive). The properties to the north, east, and south are zoned Planned Development No. 134A (PD-134A) with a base zoning of Corridor Commercial (CC). The property to the west is zoned Planned Development No. 142 with a base zoning of CC.

The subject property is in the PD-134A zoning district with a base zoning of CC. A site plan for the proposed replat for a private park and restaurant use was approved in March 2021. Platting is the final step in the development process.

The Replat shows three lots at a total of 6.607± acres. The lots shown are accessible through surrounding public access easements known as Blue Tractor Lane, Johnson Road, and Fishing Pond Drive.

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

#### **STAFF RECOMMENDATION**

Staff recommends approval.

## **MOTION**

I make a motion to approve the Replat of Lot 1, Block X, and Lots 1, 2, and 3, Block D, The Farm, as presented.

## ATTACHMENT(S)

Replat



O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS	
INST. NO.	INSTRUMENT NUMBER	
VOL., PG.	VOLUME, PAGE	
SQ. FT.	SQUARE FEET	
1/2" [RS <b>⊗</b>	1/2 INCH IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "TXHS"	
1/2" IRF ()	1/2 INCH IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "TXHS"	
BMON FND/SET 🕱	1 INCH BRASS MONUMENT STAMPED "SURVEY POINT" FOUND/SET	

LEGEND

BOUNDARY LINE TABLE		BOUNDARY CURVE TABLE					
LINE#	LENGTH	DIRECTION	CURVE#	LENGTH	RADIUS	DELTA	CHORD
L1	32,48"	N54°16'51'W	C1	231.07	1500.00'	8°49'34"	N32° 45' 19"W 230.84'
L2	59.95	N57*38*29*E	C2	72.71'	260.50	15"59'30"	N31" 25' 57"W 72.47'
L3	257.88	N76"06"33"E	C3	102,82'	1321,50	4°27'29"	N41° 39' 26"W 102.80'
L4	90,43'	N64°11'53"E	C4	40.05	541.41	4°14'16"	N44° 06' 13"W 40.04'
L5	427.20	S25*48'07*E	C5	34.96"	472.63'	4°14'16"	N41° 59' 05"W 34.95'
L6	49.30'	\$30*59'25*E	C6	27.88	1042,91	1°31′54"	N40° 10' 15"W 27,88'
L7	193,13	S49°00'35"W	C7	84.14"	900.00	5"21"24"	N34" 53' 01"W 84.11'
L8	155.68	S63°45'04"W	C8	80.58"	250.00	18"28"04"	N66° 52' 31"E 80.23'
			C9	103.94	500.00	11°54'39"	N70° 09' 13*E 103,76'
			C10	3.89'	43.00	5*11'19"	S28" 23' 46"E 3.89'
			C11	128.64'	500.00'	14°44'29"	S56° 22' 49"W 128.29'

INTERIOR LOT LINE TABLE		INTERIOR LOT CURVE TABLE					
LINE#	LENGTH	DIRECTION	CURVE#	LENGTH	RADIUS	DELTA	CHORD
L9	19,17"	N55*34'22*E	C12	197.79	120.00'	94'26'15"	N47° 38' 16'E 176.15'
L10	31.15'	S40°59'19"E	C13	50.43	76.00	38"01"01"	N74° 47' 21"E 49.51'
L11	0.75'	S49°00'28"W	C14	65.82	56.10"	67"13'41"	S63° 41' 15'E 62.11'
L12	17.52	S26*14'56*E	C15	126.17	405.09'	17"50'45"	S56" 37' 34"W 125.66'
L13	20,49'	S63°08'55"W	C16	2.96"	1,90'	89"23"51"	S18° 26' 59"W 2.67'
L14	85.87	S26*51'05*E	C17	159,30'	1500.00'	6°05'06"	931° 23' 05'E 159.23'
L15	54.20'	N25°48'07"W	C18	165.24	105.00	90"10'01"	N43° 41' 43'W 148.71'
L16	61.76	N34*11'53*E	C19	169.98'	71.00	137"10'09"	N47° 41' 24'W 132.20'
L17	130,43	N64*12'00*E					
L18	19,58"	S64°11'53"W					
L19	80.10'	S34°11'53"W					
L20	255.01'	N25*48'07*W					

#### GENERAL NOTES:

The purpose of this replat is to create three lots out of four platted lots.

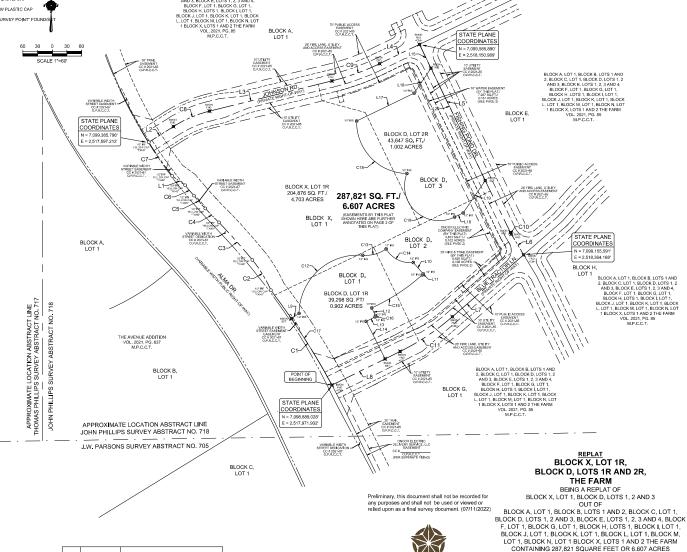
2) The maximum number of lots permitted by this plat is three.

3) Bearings are based upon the Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983, (2011).

4) Coordinates shown hereon are based on Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983 on Grid Coordinate values, No Scale and No Projection.

5) Subject property is located within an area having a Zone Designation "X" by the Secretary of Housing and Urban Development, or Flood Insurance Rate Map No. 48085002653, with a date of identification of 02/22/2022, for Community Number 480131, in Collin County, State of Texas, which is the current Flood Insurance Rate Map for the community in which said property is situated.

6) The Minimum Finish Floor Elevation for Lots 1R and 2R, Block D is 692.50'



OWNER
THE FARM DEVELOPMENT CO
2095 N. COLLINS BOULEVARD,

SUITE 200 RICHARDSON, TEXAS 75080

BLOCK A, LOT 1, BLOCK B, LOTS 1 AND 2, BLOCK C, LOT 1, BLOCK D, LOTS 1, 2 AND 3, BLOCK E, LOTS 1, 2, 3 AND 4,

07/11/2022

03/03/2022

DATE

NO.

CITY COMMENTS

FIRST SUBMITTAL

REVISION DESCRIPTION

SITUATED IN THE JOHN PHILLIPS SURVEY, ABSTRACT NO. 718

CITY OF ALLEN, COLLIN COUNTY, TEXAS

DATE: 02/18/2022 / JOB # 2200402-2 / SCALE= 1" = 30' / DRAWN: KO

PAGE 1 OF 3

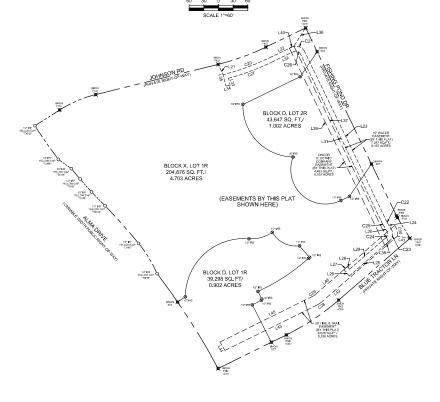
TEXAS HERITAGE

SURVEYING ILC

10610 Metric Drive, Sulte 124, Dallas, TX 75243 Office 214-340-9700 Fax 214-340-9710 txheritage.com Firm No. 10169300







WATER EASEMENT CURVE TABLE				
CURVE#	LENGTH	RADIUS	DELTA	CHORD
C20	104.05	523.00'	11°23'58"	N69° 53' 52"E 103.88
C21	31.42'	20.00'	90"00'00"	S70° 48' 07"E 28.28'
C22	5.98'	66.00"	5*11'19"	S28" 23' 46"E 5.97"
C23	27.93	20.00	80,00,00.	S9* 00' 35"W 25.71"
C24	13.96'	10.00	80'00'00'	N9° 00' 35"E 12.86'
C25	6.88'	76.00'	5°11'19"	N28° 23' 46"W 6.88'
C26	15.71'	10.00°	90"00'00"	N70° 48' 07"W 14.14
C27	97.13	533.00'	10"26'29"	S69° 25' 08"W 97.00

LINE TABLE				
LINE#	LENGTH	DIRECTION		
L21	23.45'	S25*22'35*E		
L22	47.43	N64°11'53"E		
L23	384,20	S25°48'07"E		
L24	13.22"	\$30°59'25*E		
L25	108.25	S49'00'17"W		
L26	17,01"	N40*59*19*W		
L27	10,00"	N49"00'35"E		
L28	7.01	S40"59'19"E		
L29	98.25	N49'00'17'E		
L30	13.22"	N30"59'25"W		
L31	384,20	N25°48'07"W		
L32	47.43	S64°11'53"W		
L33	14.05"	S13'53'27'E		
L34	9.00	S76"06'33"W		
L35	23.90	N13°53'27"W		

	HIKE TRAIL CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD	
C28	9.78	38.00"	14°44'29"	S56° 22' 49"W 9.75'	
C29	4.63	18.00′	14°44'29"	N56" 22' 49"E 4.62"	
C30	23.20	30.00	44"18'59"	S13° 05' 35*E 22.63'	

HIKE TRAIL LINE TABLE				
LINE#	LENGTH	DIRECTION		
L41	26.13'	N81"03"14"W		
L42	205.97	\$49°00'35"W		
L43	210,65	S63°45'04"W		
L44	20.04	N29°41'18"W		
L45	211.85	N63*45'04*E		
L46	216,56	N49*00'35*E		

ONCOR CO. LINE TABLE			
LINE #	LENGTH	DIRECTION	
L36	44.42"	S33*00'48*W	
L37	444.93	\$25°48'07"E	
L38	10,36'	S49*00'35*W	
L39	447.64	N25°48'07"W	
L40	10.00'	N64°11'53"E	

Preliminary, this document shall not be recorded for any purposes and shall not be used or viewed or relied upon as a final survey document. (07/11/2022)

# BLOCK X, LOT 1R, BLOCK D, LOTS 1R AND 2R,

BLOCK D, LOTS 1R AND 2R,
THE FARM

BEING A REPLAT OF

BLOCK X, LOT 1, BLOCK D, LOTS 1, 2 AND 3
OUT OF

BLOCK A, LOT 1, BLOCK B, LOTS 1 AND 2, BLOCK C, LOT 1,
BLOCK D, LOTS 1, 2 AND 3, BLOCK E, LOTS 1, 2, 3 AND 4, BLOCK
F, LOT 1, BLOCK G, LOT 1, BLOCK H, LOTS 1, BLOCK I, LOT 1, BLOCK J, LOT 1, BLOCK K, LOT 1, BLOCK L, LOT 1, BLOCK M, LOT 1, BLOCK N, LOT 1 BLOCK X, LOTS 1 AND 2 THE FARM CONTAINING 287,821 SQUARE FEET OR 6.607 ACRES

SITUATED IN THE JOHN PHILLIPS SURVEY, ABSTRACT NO. 718 CITY OF ALLEN, COLLIN COUNTY, TEXAS

DATE: 02/18/2022 / JOB # 2200402-2 / SCALE= 1\* = 30' / DRAWN: KO

PAGE 2 OF 3

GENERAL NOTES:

1) The purpose of this replat is to create three lots out of four platted lots.

2) The maximum number of lots permitted by this plat is three.

3) Bearings are based upon the Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983, (2011).

4) Coordinates shown hereon are based on Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983 on Grid Coordinate values, No Scale and No Projection.

5) Subject property is located within an area having a Zone Designation "X" by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 48085002655J, with a date of identification of 02/22/2022, for Community Number 480131, in Collin County, State of Texas, which is the current Flood Insurance Rate Map for the community in which said property is situated.

6) The Minimum Finish Floor Elevation for Lots 1R and 2R, Block D is 692.50'



OWNER
THE FARM DEVELOPMENT CO
2095 N. COLLINS BOULEVARD,
SUITE 200
RICHARDSON, TEXAS 75080



OWNER'S CERTIFICATE

STATE OF TEXAS

WHEREAS, The Farm Development Co., a Texas corporation, is the owner of a tract of land situated in the John Philips Survey, Abstract No. 718, and being Lot 1, Block X and Lots 1, 2 & 3, Block D, out of Block A, Lot 1, Block B, Lots 1 and 2, Block C, Lot 1, Block D, Lots 1, 2 and 3, Block E, Lots 1, 2 & 3 and 4, Block F, Lot 1, Block S, Lot 1, Block B, Lot 1, Block S, Lot 1, Block X, Lot 1, Block B, Lot 1, Bloc

BEGINNING at a 1 inch brass monument stamped (SURVEY PONT) found for the southwest corner of said Lot 1, Block D, same being the northwest corner of Lot 1, Block G, of said The Farm, same lying in the intersection of the centerine of a 70 foot access easement of The Farm (six Blue Trador Lane) with the northwest right-of way line of Alma Drive (Variable width right-of-way) same being the start of a non-tangent curve to the left having a radius of 1500.00 feet, a delta angle of 08 degrees 49 minutes 34 seconds and a chord bearing and distance of North 32 degrees 45 minutes 19 seconds West 230.84 foot.

THENCE along said northeast right-of way line of Alma Drive, the following courses and distances;

along said montangent curve to the left, passing the southeast fine of said u.t. 1, Block X for an arc length of 23 107 feet to 412 nch tron rod found with yellow plastic cap stamped "TXHS" for corner at the start of a non-tangent curve to the left, said curve having a radius of 260,50 feet, a delta angle of 15 degrees 50 milliosed 50 value 50 seconds and or 6 or thor bearing and oldstance of Novih 31 degrees 25 milliosed 50 values.

along said ourse to the left, an arc length of 72.71 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" for comer at the start of a non-tangent curve to the left, said curve having a radius of 1321.50 feet, a delta angle of 04 degrees 27 minutes 29 seconds and a chord bearing and distance of North 41 degrees 39 minutes 25 seconds West 102.80 feet,

along said curve to the left, an ear length of 12 Secret to a 1 ratio from roof bound with yellow plastic cap stamped "TXHS" for corner at the start of a non-langent curve to the right, said curve having a radius of \$41.41 feet, a delha angle of 04 degrees 14 minutes 15 seconds and a chord bearing and distance of North 45 received as 13 secrets (West 21 Secrets) when \$1.3 secrets (West 2

along said curve to the right an arc length of 40.05 feet to a 1/2 richt iron rod found with yellow plastic cap stamped "TXHS" for corner at the start of a non-tangent curve to the right, said curve having a radius of 472.63 feet, a delta angle of 04 degrees 14 minutes 15 seconds and a chord bearing and distance of Nother's 14 february 61 feet in the 14 february 61 f

along said curve to the right for an arc length of 34.96 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" for corner at the start of a non-tangent curve to the right, said curve having a radius of 1042.91 feet, a delta angle of 01 degrees 31 minutes 54 seconds and a chord bearing

along said curve to the right for an arc length of 27.88 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" for corner at the end of said curve;

North 54 erginess 16 mileates 15 seconds West, a distance of 32.48 feet to a 152 inch into not down with yellow plastic cap stamped "TXHS" for conner at the start of a non-tangent curve to the right, said curve having a radius of 500.00 feet, a deta angle of 05 degrees 21 minutes 24 seconds and a character bearing and distance of Noth 34 degrees 55 minutes 01 seconds West 84.11 feet and 152 minutes 24 seconds and a character bearing and distance of Noth 34 degrees 55 minutes 01 seconds West 84.11 feet and 152 minutes 24 seconds and a character bearing and other seconds West 84.11 feet and 152 minutes 24 seconds west 84.11 feet and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds was 84.11 feet and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds and a character bearing and 152 minutes 24 seconds a

Along said curve to the right an arc length of 84.14 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "TXHS" for corner at the end of said curve, in the centerline of a 70 foot access easement to said The Farm (aka Johnson Road), same being the southwest corner of Lc 1, Block A of said

THENCE along said centerline of a 70 foot access easement to said The Farm (aka Johnson Road) and with the southeast line of said Lot 1, Block A the following bearings and distances:

North 57 degrees 38 minutes 29 seconds East, a distance of 58.95 feet to a 1 inch brass monument stamped (SURVEY POINT) found for the start of a tangent curve to the right having a radius of 250.00 feet a deta angle of 18 degrees 28 minutes 04 seconds and a chord bearing and distance of North 66 degrees 22 minutes 34 seconds East 80.23 feet.

North 76 enginess 08 mixtures 33 seconds Sext. a distance of 257.86 feet to a 1 inch brass monument stamped (SURVEY POINT) found for the start of a langent curve to the left having a radius of 500.00 feet a delta angle of 11 degrees 54 minutes 39 seconds and a chord bearing and distance of North 70 degrees 98 minutes 13 seconds East 10 35 feet.

alone said curve to the left an arc length of 103.94 to a 1 inch brass monument stamped (SURVEY POINT) found for the end of said curve

North 64 degrees 11 mixtude 53 seconds East, a distance of 90.43 feet to a 1 inch brass monitorest stamped (SUPEY POINT) four of the northeast corner of said Lot 3, Block D, same being the northwest corner of Lot 1, Block E, of said The Farm, same lying at the intersection of the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to said The Farm (also abritons Possa) and the centerfine of a 70 feet access executement to a 70

THENCE South 25 degrees 4.8 minutes 07 seconds East, along the contribers of a "D foot access easement to said The Fairn (plan Fairing Poul Point) and along the southwest time of said Lot 1. Block E, passing the northwest time of said Lot 2, Block D, a distance of 427.20 feet to a 1 inch brass morument stamped (SURVEYPORT) set at the set and of a segree 25 minutes 48 segrees 25 minutes 25 segrees 25 minutes 25 segrees 25 minutes 25 segrees 25 segr

THENCE along said curve to the left, continuing along the centerline of a 70 foot access easement to said The Farm (aka Fishing Pond Drive), an arc distance of 3.89 feet to a 1 inch brass monument stamped (SURVEY POINT) found for the end of said curve;

THENCE South 49 degrees 00 minutes 35 seconds Vest, storp the centerlates of 200 the case assument to said The Farm (alse Blue Tractic range) and derop the northwest line of said Lot 1, Slick 6, a distance of 193.13 feet to a 1 inch brass monument stamped (SURVEY POINT) found at the start of a largest curve to the ringht having a related of 500.00 feet, a designed curve to the ringht having a related of 500.00 feet, a disease of 500.00 feet, a disease of 500.00 feet, and seed of 500.00 feet,

THEXICE along said curve to the right, continuing along the centerline of a 70 foot access essement to said The Farm (ska Blue Tractor Lane) and the northwest line of said Lot 1 Block G, passing the northwest line of said Lot 1, Block D, an arc distance of 128.64 feet to a 1 inch brass monument stamped (SUREY PORT) from for the earl of sead curve.

THENCE South 63 degrees 45 minutes 04 seconds West, continuing along the centerline of a 70 foot access easement to said The Farm (aka Blue Tractor Lane) and the northwest line of said Lot 1 Block G, a distance of 155.68 feet to the POINT OF BEGINNING and containing 287,821 square feet or 6.607

CITY OF ALLEN APPROVAL BLOCK

Chairperson Planning & Zoning Commit Date

Planning & Zoning Commission

Date

City Secretary, City of Allen

SURVEYING ILC

OWNER
THE FARM DEVELOPMENT CO
2095 N. COLLINS BOULEVARD, RICHARDSON, TEXAS 75080

i10 Metric Drive, Suite 124, Dallas, TX 75 Office 214-340-9700 Fax 214-340-9710 txheritage.com Firm No. 10169300

OWNER'S DEDICATION

STATE OF TEXAS COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

KNOW ALL MEN BY THESE PRESENTS:

That, The Falm Development Co., a a reasx corporation, through the undersigned authority, does hereby adopt this plat designating the described opposity as BLOCKX, LOT I'R, BLOCK D, LOTS I'R AND 2R, THE FARM, and addition to the City of Alm. Collin County. Towas, and does hereby dedicate the replace use forever the street and allegs interior, and does hereby dedicate the easement stree shows on the glat for mutual use and one accommodation of a place full limited section to see, or unique section. Note that the street and allegs interior, and does hereby dedicate the easement street shows on the glat for mutual use and an experiment of the street of the street

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

Witness my hand this \_\_\_\_\_day of \_\_\_\_\_\_, 2022.

Bruce R. Heller (President)
The Farm Development Co., a Texas corporation

BEFORE ME, the undersigned authority, on this day personally appeared Bruce R. Heller, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that helshe executed the same for the purposes and considerations therein expressed and in the capacity therein states.

GIVEN under my hand and seal of office this \_\_\_\_\_

Notary Signature

SURVEYOR'S CERTIFICATE

THAT I, Gary E. Johnson, 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 purposes and shall not be used or viewed or relied upon as a final survey document. (07/11/2022)

Gary E. Johnson Texas Registered Professional Land Surveyo

BEFORE ME, the undersigned authority, on this day personally appeared Gary E. Johnson, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowlodged to me that he/she executed the

GIVEN under my hand and seal of office this \_\_\_\_\_\_ day of \_\_\_

Notary Signature

BLOCK X, LOT 1R, BLOCK D, LOTS 1R AND 2R, THE FARM

BEING A REPLAT OF BLOCK X, LOT 1, BLOCK D, LOTS 1, 2 AND 3 OUT OF

BLOCK A, LOT 1, BLOCK B, LOTS 1 AND 2, BLOCK C, LOT 1, BLOCK D, LOTS 1, 2 AND 3, BLOCK E, LOTS 1, 2, 3 AND 4, BLOC F, LOT 1, BLOCK G, LOT 1, BLOCK H, LOTS 1, BLOCK I, LOT 1, BLOCK J, LOT 1, BLOCK K, LOT 1, BLOCK L, LOT 1, BLOCK M LOT 1, BLOCK N, LOT 1 BLOCK X, LOTS 1 AND 2 THE FARM CONTAINING 287.821 SQUARE FEET OR 6.607 ACRES

> SITUATED IN THE JOHN PHILLIPS SURVEY, ABSTRACT NO. 718 CITY OF ALLEN, COLLIN COUNTY, TEXAS

DATE: 02/18/2022 / JOB # 2200402-2 / SCALE= 1\* = 30' / DRAWN: KO

PAGE 3 OF 3

GENERAL NOTES:

1) The purpose of this replat is to create three lots out of four platted lots.

2) The maximum number of lots permitted by this plat is three

3) Bearings are based upon the Texas State Plane Coordinate System, North Central Zone 4202, North American Datum of 1983, (2011).

4) Coordinates shown hereon are based on Texas State Plane Coordinate System, North Central Zone 4202,

5) Subject property is located within an area having a Zone Designation "X" by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 4808SC0265J, with a date of identification of 02/22/2022, for Community Number 480131, in Collin County, State of Texas, which is the current Flood Insurance Rate Map for the community in which said property is situated

6) The Minimum Finish Floor Elevation for Lots 1R and 2R, Block D is 692.50'

AGENDA DATE: July 19, 2022

**AGENDA CAPTION:** Conduct a Public Hearing and consider a request to

amend the development regulations in Area 1 of Planned Development No. 3 with a base zoning of Light Industrial to authorize Tract KB, Allen Business Centre II, to be developed and used as a Medical or Dental Office as a permitted use; generally located directly south of Prestige Circle and approximately 500 feet west of Greenville Avenue (and commonly known as 22 Prestige

Circle). [ZN-061722-0012] (22 Prestige)

STAFF RESOURCE: Jessica Johnsen, Planner

**BOARD/COMMISSION ACTION:** Replat – Approved July, 2008

**PREVIOUS COUNCIL ACTION:** Planned Development No. 3 – Approved October

1981

Planned Development No. 3 – February 2008

STRATEGIC PLANNING GOAL: Vibrant Community with Lively Destinations and

Successful Commercial Centers.

#### **BACKGROUND**

The subject property is located in Area 1, Allen Business Centre II, generally located directly south of Prestige Circle and approximately 500 feet west of S. Greenville Avenue (and commonly known as 22 Prestige Circle). The properties to the north, east, and west are zoned PD-3 with a base zoning of LI. The property to the south is zoned PD-3 with a base zoning of Shopping Center.

This subject property is zoned Planned Development No. 3 (PD-3) with a base zoning of Light Industrial (LI). The subject property is approximately 1.0577 acres. The site is already developed and has an existing 11,836± square foot building with multiple suites.

The applicant occupies a space in an existing building as a medical office. The use of Medical or Dental Office was not a defined use when the business opened. The Allen Land Development Code has since changed and the use of Medical or Dental Office is now a defined use; however, it is not allowed by right in this zoning district. The applicant would like to expand the growing business into the adjacent suite. For this reason, the applicant is requesting a Planned Development Amendment to amend the development regulations to allow Medical or Dental Office use by right.

This request has been reviewed by staff, is in general conformance with the future land use map in the adopted Comprehensive Plan, and is compatible with the surrounding uses.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

## **MOTION**

I move to recommend approval of the request to amend the development regulations of PD-3 with a base zoning of LI for Lot KB, Allen Business Centre II, as presented.

## **ATTACHMENT(S)**

Draft Ordinance Property Notification Map

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE REGULATIONS OF AREA 1 OF PLANNED DEVELOPMENT PD NO. 3 WITH A BASE ZONING OF LIGHT INDUSTRIAL "LI" TO AUTHORIZE TRACT KB, ALLEN BUSINESS CENTRE II TO BE DEVELOPED AND USED AS A MEDICAL OR DENTAL OFFICE AS A PERMITTED USE; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

**SECTION 1.** The Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, as previously amended, be further amended by amending as set forth in Section 2 of this Ordinance the development regulations of Area 1 of Planned Development "PD" No. 3 with a base zoning of Light Industrial "LI," to authorize Tract KB, Allen Business Centre II, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Cabinet F, Page 724, Map Records, Collin County, Texas ("the Property").

**SECTION 2.** The Property shall be developed and used in accordance with the applicable provisions of the Allen Land Development Code, as amended, ("ALDC") and Tract 1 of Planned Development "PD" No. 3 as set forth in Ordinance No. 2701-2-08, ("the PD 3 Ordinance"). In addition to the uses permitted by the PD 3 Ordinance with respect to the use and development of Tract 1, the Property may be developed and used for a Medical or Dental office.

**SECTION 3.** To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

**SECTION 4.** Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of the said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

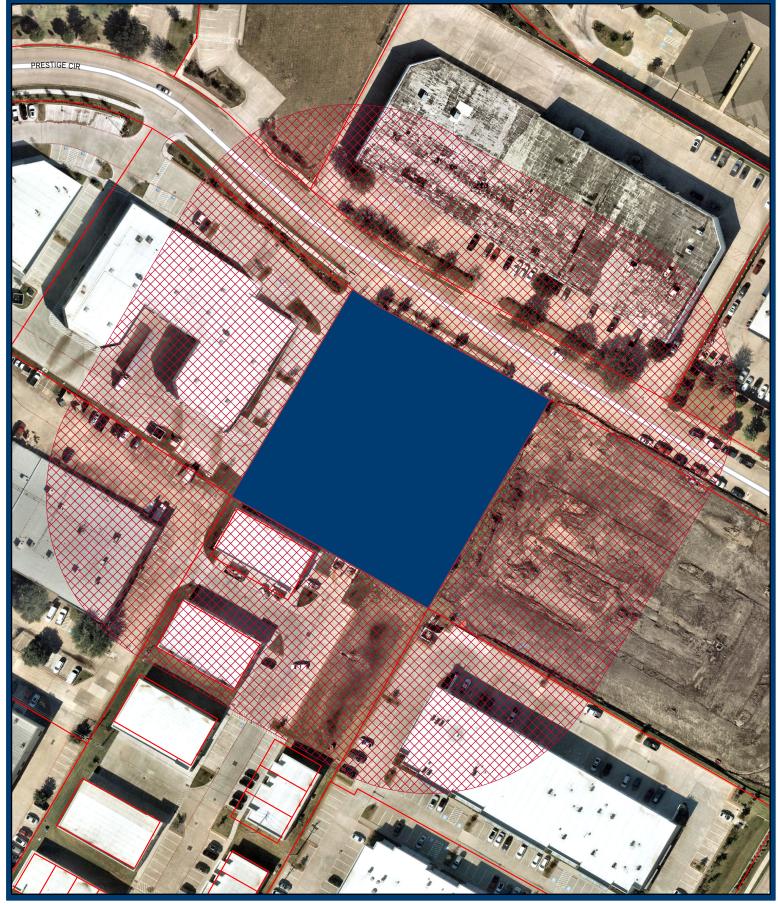
**SECTION 5.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 7.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE  $9^{TH}$  DAY OF AUGUST 2022.

	APPROVED:
	Kenneth M. Fulk, MAYOR
APPROVED AS TO FORM:	ATTEST:
Peter G. Smith, CITY ATTORNEY (kbl:7/11/2022:130535)	Shelley B. George, TRMC, CITY SECRETARY





22 Prestige Circle

## Legend

Subject\_Parcel
Collin CAD Parcels

200' Buffer

0 50 100 200 L | L | J | Feet



Note:This map is for illustrative purposes only please contact Community Development for more details. 214-509-4160 **16** 

AGENDA DATE: July 19, 2022

**AGENDA CAPTION:** Conduct a Public Hearing and consider a request to

amend and restate Specific Use Permit No. 167 authorizing an approximately 4,775 square foot portion of a building located on Lot 1, Block A, Starcreek Village and to remove the section pertaining to change in ownership on property; generally located at the southwestern corner of the intersection of State Highway 121 and Watters Road (and commonly known as 975 State Highway 121, Suite 190). (ZN-062722-0001) [Cigar Lounge]

**STAFF RESOURCE:** Kim Yockey, Senior Planner

**BOARD/COMMISSION ACTION:** 

Final Plat - Approved April 2018

**PREVIOUS COUNCIL ACTION:** Planned Development No. 92 – Approved

December 2004

Planned Development No. 92 – Approved February

2016

Planned Development No. 92 – Approved July

2016

Planned Development No. 92 – Approved

December 2018

Specific Use Permit No. 167 – Approved April

2019

STRATEGIC PLANNING GOAL: Vibrant Community with Lively Destinations and

Successful Commercial Centers.

#### BACKGROUND

The subject property is generally located at the southwestern corner of the intersection of State Highway 121 and Watters Road (and commonly known as 975 State Highway 121, Suite 190). The properties to the north, east, south, and west are zoned PD-92 with a base zoning of Corridor Commercial (CC). This property is zoned Planned Development No. 92 (PD-92) with a base zoning of CC.

The applicant proposes to occupy the tenant space which was formerly occupied by Cigar Palace and Bar, a smoking establishment. Specific Use Permit (SUP) No. 167 specifically authorized only "Cigar Palace and Bar" to operate as a smoking establishment in the subject tenant space. In August 2021, the Allen Land Development Code was revised to allow Specific Use Permits to be applicable to the property as opposed to individual businesses. For Cigar Lounge to move forward, the SUP must be amended to remove the section that specifically authorizes only Cigar Palace and Bar to occupy the subject space.

This request has been reviewed by staff. The request is in general conformance with the future land use map in the adopted Comprehensive Plan and is compatible with the surrounding uses.

## **STAFF RECOMMENDATION**

Staff recommends approval.

## **MOTION**

I move to recommend approval of the request to amend and restate the development regulations of Specific Use Permit No. 167 with a base zoning of CC, for Lot 1, Block A, Starcreek Village, as presented.

#### **ATTACHMENT(S)**

Draft Ordinance Property Notification Map

<b>ORDINANCE</b>	NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP AS PREVISOULY AMENDED BY AMENDING AND RESTATING THE DEVELOPMENT REGULATIONS OF SPECIFIC USE PERMIT NO. 167 FOR A SMOKING ESTABLISHMENT USE SET FORTH IN ORDINANCE NO. 3659-4-19 RELATING TO THE USE AND DEVELOPMENT OF 4,775± SQUARE FOOT PORTION OF A BUILDING LOCATED ON LOT 1, BLOCK A, STARCREEK VILLAGE, PRESENTLY ZONED FOR PLANNED DEVELOPMENT "PD" NO. 92 CORRIDOR COMMERCIAL "CC"; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Allen, Texas and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously adopted, should be amended.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

**SECTION 1.** The Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Collin County, Texas, be amended, and is hereby further amended by amending and restating as follows and as attached in Exhibit "A" hereto—the development regulations of Specific Use Permit No. 167 for a Smoking Establishment as set forth in Section 1, Section 2, and Exhibit "A" of Ordinance No. 3659-4-19, relating to the development and use of 4,775± square foot portion of a building located on Lot 1, Block A, Starcreek Village, an Addition to the City of Allen, Collin County, Texas, according to the Plat recorded in Volume 2018, Page 258, Plat Records, Collin County, Texas, as shown on Exhibit "A" attached hereto and incorporated herein by reference ("the Property"), which is presently zoned for Planned Development "PD" No. 92 Corridor Commercial "CC":.

**SECTION 1.** The Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Collin County, Texas, be amended by granting Specific Use Permit No. 167 authorizing a 4,775± square foot portion of a building located on Lot 1, Block A, Starcreek Village, an Addition to the City of Allen, Collin County, Texas, according to the Plat recorded in Volume 2018, Page 258, Plat Records, Collin County, Texas, as shown on Exhibit "A" attached hereto and incorporated herein by reference ("the Property"), which is presently zoned for Planned Development "PD" No. 92 Corridor Commercial "CC" to be used for a Smoking Establishment use.

**SECTION 2.** The Property shall be used only in the manner and for the purposes provided for in the Allen Land Development Code Zoning Regulations, as heretofore amended, and the use and development regulations of Planned Development "PD" No. 92 as amended, and, if used for Smoking Establishment purposes, such use shall be limited to the area of the Property shown in the SUP Site Plan attached hereto as Exhibit "A" and incorporated herein by reference.

**SECTION 2.** To the extent of any irreconcilable conflict with the provisions of this ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this ordinance, the provisions of this ordinance shall be controlling.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

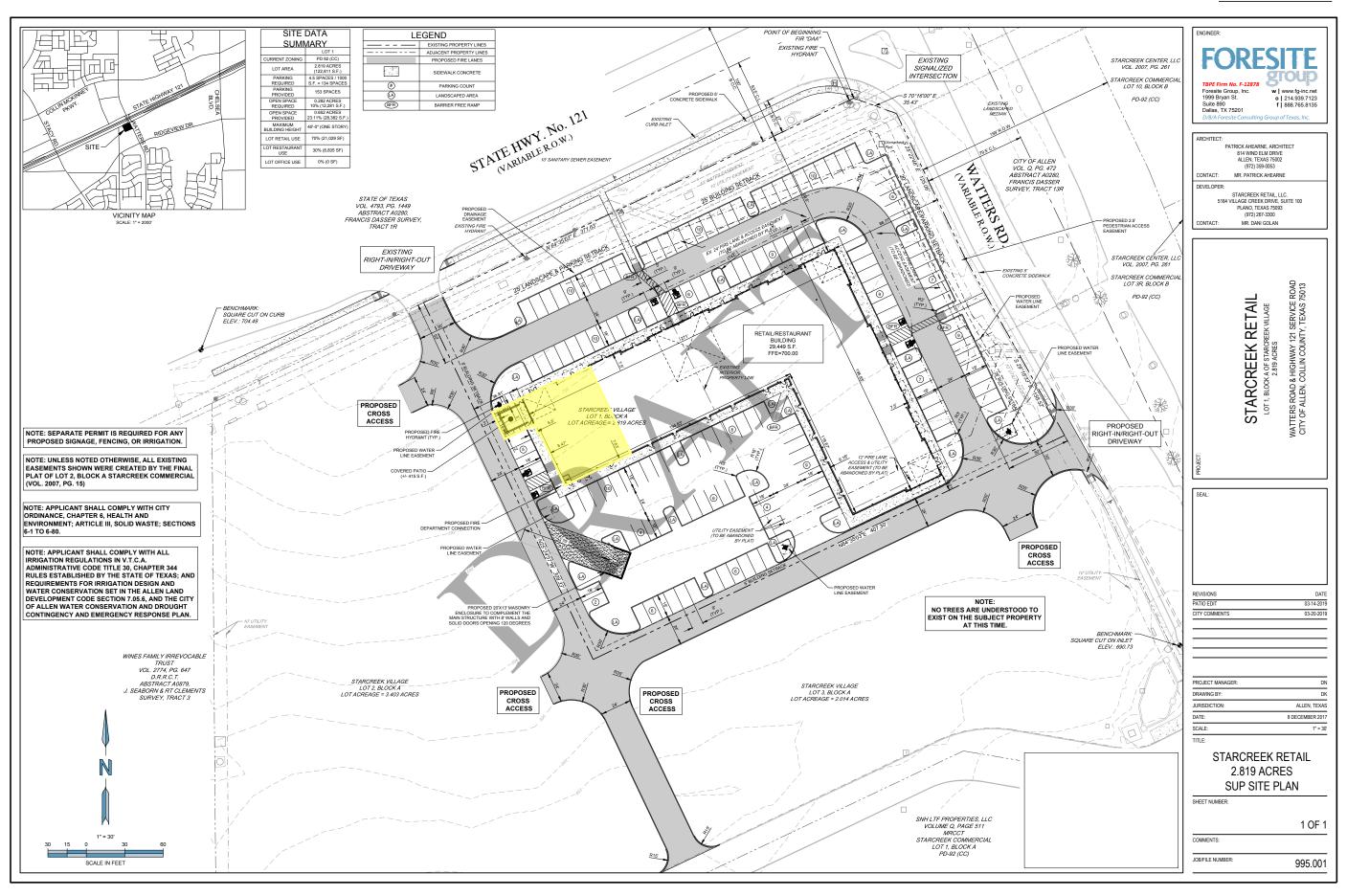
**SECTION 4.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 6.** This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS 9th DAY OF AUGUST 2022.

	APPROVED:
	Kenneth M. Fulk, MAYOR
APPROVED AS TO FORM	ATTEST:
Peter G. Smith, CITY ATTORNEY	Shelley B. George, TRMC, CITY SECRETARY







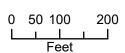
Starcreek Retail LLC 975 S.H. 121

## Legend

Subject\_Parcel

Collin CAD Parcels

200' Buffer





Note:This map is for illustrative purposes only please contact Community Development for more details. 214-509-4160 **22**