



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING – 7:00 P.M.
TUESDAY, OCTOBER 2, 2012
COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TEXAS 75013**

Call to Order and Announce a Quorum is Present

Pledge of Allegiance

Director's Report

1. Action taken on the Planning & Zoning Commission items by City Council at the September 25, 2012 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 September 18, 2012 regular meeting.
3. Final Plat – Consider a request for a Final Plat for Greenville Center Addition, Lot 11, Block A; being 0.9724± acres located south of Stacy Road and west of Greenville Avenue. (FP-9/17/12-65) [Christian Brother's Automotive]

Regular Agenda

4. Consider a revision to an 8.934± acre portion of the General Development Plan for Kids R Kids; located north of Exchange Parkway and west of Alma Drive. (GDP-8/20/12-59) [Legacy ER]

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 28, 2012, at 5:00 p.m.

Shelley B. George, City Secretary

Allen City Hall is wheelchair accessible. Access to the building and special parking are available at the entrance facing Century Parkway. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 214-509-4105.

Director's Report from 9/25/12 City Council Meeting

There were no items taken to the September 25, 2012 City Council meeting for consideration.



**PLANNING AND ZONING
COMMISSION**

**Regular Meeting
September 18, 2012**

ATTENDANCE:

Commissioners Present:

Robert Wendland, Chairman
Jeff Cocking, 1st Vice Chair
John Ogrizovich
Steven Platt, Jr.

Commissioners Absent:

Shirley Mangrum, 2nd Vice Chair
Ben Trahan

City Staff Present:

Chris Flanigan, PE, Director of Engineering
Tiffany McLeod, Senior Planner
Shelby Griffin, Planner
Kevin Laughlin, City Attorney

Call to Order and Announce a Quorum is Present:

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

Director's Report

1. Action taken on the Planning & Zoning Commission items by City Council at the September 11, 2012 regular meeting.

Consent Agenda

2. Approve minutes from the September 4, 2012 regular meeting.

Motion: Upon a motion by 1st Vice Chair Cocking, and a second by Commissioner Ogrizovich, the Commission voted 4 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.

The motion carried.

Regular Agenda

Agenda Item #3 Public Hearing – Conduct a Public Hearing and consider a request to change the zoning from Planned Development No. 106 for Shopping

Center "SC" with a car wash use to Planned Development No. 106 for Shopping Center "SC" with a fueling station use and amend the Concept Plan and development regulations. The property is 1.31± acres situated in the Grizzle Kennedy Survey, Abstract No. 499, City of Allen, Collin County, Texas: located north of Hedgcoxe Road and east of Custer Road. (6/19/12-43)) [7-Eleven]

Tiffany McLeod, Senior Planner, presented to the Commission. The property is located north of Hedgcoxe Road and east of Custer Road and is currently zoned Planned Development No. 106 with a base zoning of Shopping Center "SC". The PD exclusively permits a car wash use. The applicant (7-Eleven) is requesting to change the zoning to allow a fueling station use and amend the Concept Plan and development regulations.

There are two access points into the site. The fueling station faces Custer Road and provides six (6) dual sided fuel pump dispensers located under the canopy. The provided parking meets the standards of the *Allen Land Development Code (ALDC)*.

The building materials are primarily stone and brick. The architectural style and exterior materials on the canopy compliment the building. All signage will meet the standards of the ALDC.

The Concept Plan has been reviewed by the Technical Review Committee and meets the standards of the ALDC.

Chairman Wendland opened the Public Hearing.

With no one coming forward, Chairman Wendland closed the Public Hearing.

Motion: Upon a motion by Commissioner Platt, and a second by Commissioner Ogrizovich, the Commission voted 4 IN FAVOR, and 0 OPPOSED to recommend approval of Agenda Item #3 to change the zoning of Planned Development No. 106 to allow a Fueling Station use and amend the Concept Plan and development regulations.

The motion carried.

Adjournment

Upon acclamation, the meeting adjourned at 7:09 p.m.

These minutes approved this _____ day of _____ 2012.

Robert Wendland, Chairman

Shelby Griffin, Planner

Director's Report from 9/11/12 City Council Meeting

There was one item taken to the September 11, 2012 City Council meeting for consideration:

- A request to change the zoning of 38.14± acres from Single Family Residential R-5 to a Planned Development for Single Family Residential R-5 for Fall Creek, located south of Ridgeview Drive and west of Twin Creeks Drive was approved.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: October 2, 2012

SUBJECT: Final Plat – Consider a request for a Final Plat for Greenville Center Addition, Lot 11, Block A being 0.9724± acres located south of Stacy Road and west of Greenville Avenue. (FP-9/17/12-65) [Christian Brother’s Automotive]

STAFF RESOURCE: Shelby Griffin
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: General Development Plan approved – October, 2007
Preliminary Plat approved – February, 2008
Revised General Development Plan approved – May, 2011
Revised Preliminary Plat approved – December, 2011

BACKGROUND

The property is located south of Stacy Road and west of Greenville Avenue. The surrounding properties are zoned for Shopping Center “SC” use. The property is part of the Greenville Center Addition commercial subdivision. The applicant (Christian Brother’s Automotive) received a Specific Use Permit for the Major Automotive Repair use on July 24, 2012.

The Final Plat is approximately 0.9724± acres. Access to the site is provided for through a shared access easement on the eastern and western end of the site; the eastern access point (off of Greenville Avenue) will be the primary access point for the site. A firelane is shown to run through the center of the site.

A ten (10) foot pedestrian access easement is shown along Greenville Avenue.

The Final Plat has been reviewed by the Technical Review Committee, is consistent with the Specific Use Permit that was previously granted, and meets the standards of the ALDC.

STAFF RECOMMENDATION

Approval

RECOMMENDED MOTION

I make a motion to approve the Final Plat for Greenville Center Addition, Lot 11, Block A.

ATTACHMENTS

Final Plat



VICINITY MAP

LEGEND

- IR.F. - IRON ROD FOUND
- IR.S. - IRON ROD SET
- CM - CONCRETE MONUMENT
- PC.P.C.T. - PLAT RECORDS OF COLLIN COUNTY, TEXAS
- DR.C.C.T. - MAP RECORDS OF COLLIN COUNTY, TEXAS

NOTES:

- BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTH PLAT RECORDS OF COLLIN COUNTY, TEXAS, AND THE DEED RECORDS OF COLLIN COUNTY, TEXAS.
- ACCORDING TO THE FEDERAL EARTHQUAKE MANAGEMENT NATIONAL FLOOD INSURANCE PROGRAM, A FLOOD HAZARD STUDY HAS BEEN CONDUCTED FOR THE ALLEN, COLLIN COUNTY, TEXAS - COMMUNITY PANEL NO. 1026. THIS STUDY HAS IDENTIFIED A FLOOD HAZARD ZONE (FLOOD INSURANCE RATE ZONE) WHICH INCLUDES THE PROJECT. FLOOD INSURANCE RATES ARE NOT SET IN ANY 100 YEAR FLOOD PLAIN.
- CITY OF ALLEN GEODETIC MONUMENT # 2-177 (FLOOD INSURANCE RATE ZONE) IS LOCATED AT THE INTERSECTION OF COUNTY ROAD 1026 AND DEER BROOKE DRIVE. THIS MONUMENT IS 214.31' FROM THE WEST LINE OF DEER BROOKE DRIVE AND 637.7' FROM THE SOUTH LINE OF STACY ROAD.
- EXTENSION FACILITIES & ASSOCIATED IMPROVEMENTS (SEWER & SANITARY) TO PROVIDE ADDITIONAL FLOOD PROTECTION TO THE PROJECT ARE TO BE COMPLETED PRIOR TO A CERTIFICATE OF OCCUPANCY. THE EXTENSION FACILITIES ARE LOCATED IN LOTS 8-14, BLOCK A OF THE GREENVILLE CENTER ADDITION.

OWNER
PREMONT STACY PARTNERS, L.P.
 3400 WEST LOOP SOUTH, SUITE 445
 DALLAS, TEXAS 75226
 CONTACT: ROBERT L. MENCKE

SUBDIVISOR
DAVID R. STEINE, P.E., S.L.S.
 11015 MORAY ROAD
 DALLAS, TEXAS 75229
 (214) 358-4500

ENGINEER
BRUNER, CALDWELL & ASSOCIATES, L.L.C.
 17103 PRESTON ROAD, SUITE 1800
 DALLAS, TEXAS 75248
 CONTACT: BRIAN M. BRUNER, P.E.

BOUNDARY CURVE TABLE ~

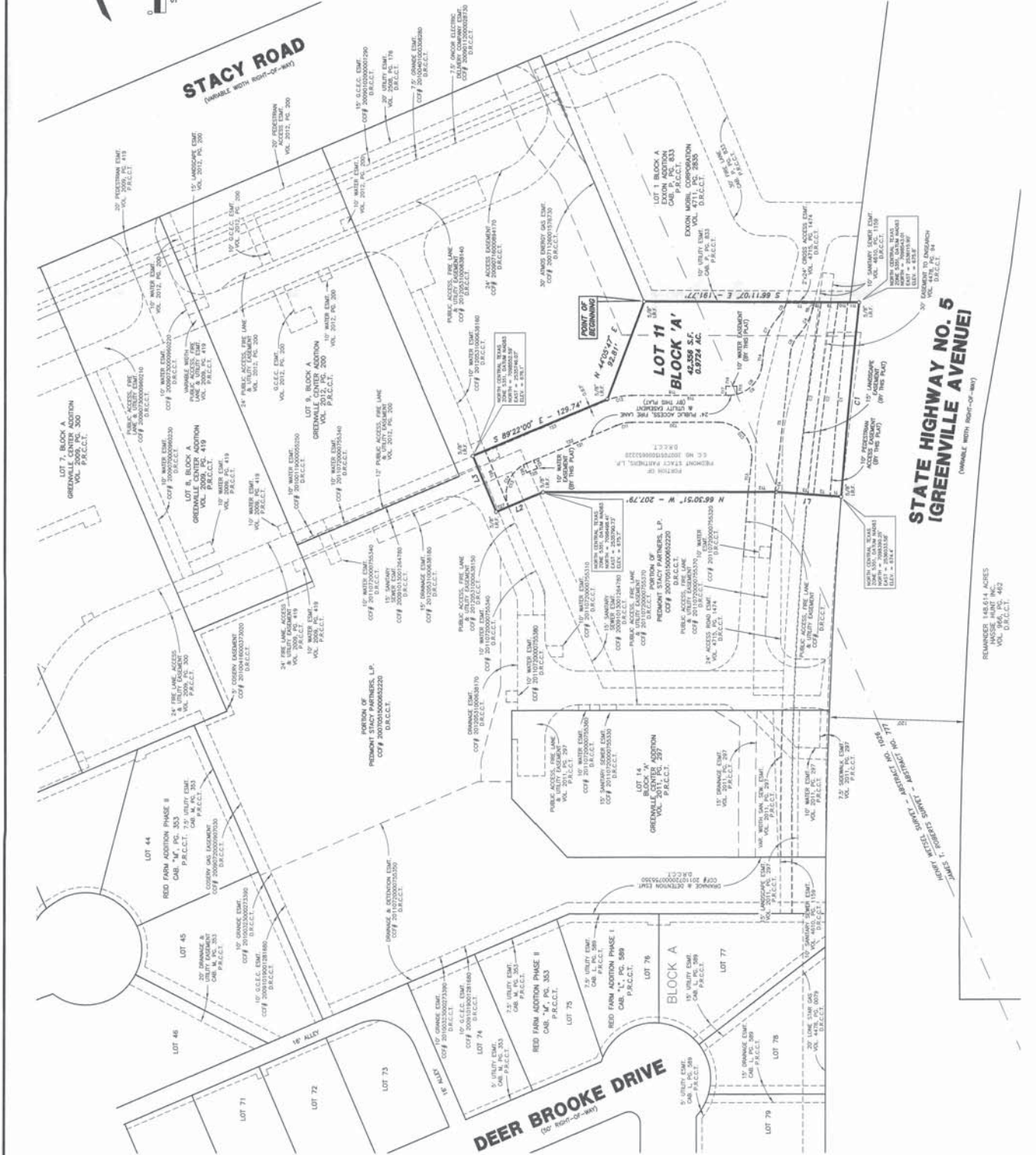
NO.	RADIUS	BEGIN	ARC	END BEARING	CHORD
1	5980.00'	07°37'54"	173.54'	S 28°43'00" W	173.53'

BOUNDARY LINE TABLE ~

NO.	BEARING	DISTANCE
L1	N 82°15'15" W	58.18'
L2	N 89°22'00" W	44.88'
L3	N 07°30'00" E	54.00'

FINAL PLAT
 OF
GREENVILLE CENTER ADDITION
LOT 11, BLOCK A

BEING 0.9724 ACRES OUT OF THE
 HENRY WEITSEL SURVEY, ABSTRACT NO. 1026 &
 THE JAMES T. ROBERTS SURVEY, ABSTRACT NO. 777
 CITY OF ALLEN, COLLIN COUNTY, TEXAS.



STATE HIGHWAY NO. 5
IGREENVILLE AVENUE

REMARKS: 14.841 ACRES
 HENRY WEITSEL SURVEY
 VOL. 996, PG. 482
 DR.C.C.T.

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF COLLIN
WHEREAS, PEDIMONT STACY PARTNERS, L.P., IS THE OWNER OF A TRACT OF LAND SITUATED IN THE HENRY WETSEL SURVEY, ABSTRACT NO. 1026 & THE JAMES T. ROBERTS SURVEY, ABSTRACT NO. 777, COLLIN COUNTY, TEXAS, AND ALSO BEING A PART OF THE GREENVILLE CENTER ADDITION, LOT 11, BLOCK A, AS SHOWN ON THE DEED RECORDED IN COUNTY CLERK'S FILE NO. 2007051500062200, OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP FOUND FOR THE SOUTHWEST CORNER OF LOT 1, BLOCK A OF EXON ADDITION ACCORDING TO THE PLAT RECORDED IN CABINET NO. 1026 OF THE DEED RECORDS OF COLLIN COUNTY, TEXAS, AND BEING IN THE NORTH LINE OF SAID PEDIMONT STACY PARTNERS, L.P.; 194.1';

THENCE SOUTH 86°11'07" EAST FOR A DISTANCE OF 191.77 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE SOUTH 86°11'07" EAST FOR A DISTANCE OF 191.77 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 5 (GREENVILLE AVENUE) AND BEING IN A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 5,060.00 FEET WITH A CHORD BEARING SOUTH 28°43'40" WEST;

THENCE ALONG THE WEST LINE OF SAID STATE HIGHWAY 5 (GREENVILLE AVENUE) WITH SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 01°57'54" FOR AN ARC LENGTH OF 173.54 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE NORTH 82°15'15" WEST AND DEPARTING SAID WEST RIGHT-OF-WAY LINE FOR A DISTANCE OF 58.18 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE NORTH 66°30'51" WEST FOR A DISTANCE OF 207.79 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE NORTH 89°22'00" WEST FOR A DISTANCE OF 44.88 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE NORTH 00°38'00" EAST FOR A DISTANCE OF 54.00 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE SOUTH 89°22'00" EAST FOR A DISTANCE OF 129.74 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE NORTH 44°29'47" EAST FOR A DISTANCE OF 92.81 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.9724 ACRES OR 42,356 SQUARE FEET OF LAND MORE OR LESS.

KNOW ALL MEN BY THESE PRESENTS:

THAT PEDIMONT STACY PARTNERS, L.P., THROUGH THE UNDERSIGNED AUTHORITY, DOES HEREBY MAKE AND CONFIRMINGLY REDEVELOP THE DESCRIBED PROPERTY AS LOT 11, BLOCK A, GREENVILLE CENTER ADDITION, CITY OF ALLEN, TEXAS, AS SHOWN ON THE PLAT HEREON, AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS AND ALLEYS USING THE SAME. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENT STRIPS ON SAID LOT 11, BLOCK A, GREENVILLE CENTER ADDITION, CITY OF ALLEN, TEXAS, OR ANY PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROUNDS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENT STRIPS. THE UNDERSIGNED HEREBY RELEASES AND REMOVES ALL CLAIMS, DAMAGES AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENT STRIPS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTING, PATROLLING, MAINTAINING AND MAINTENANCE OF SUCH SYSTEMS AND UTILITIES AND FOR THE NECESSARY AND NECESSARY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.

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

WITNESS MY HAND THIS _____ DAY OF _____, 2012.

BY: PEDIMONT STACY PARTNERS, L.P., A TEXAS LIMITED PARTNERSHIP.

BY: PEDIMONT PARTNERS, L.P., ITS GENERAL PARTNER.

BY: PEDIMONT CAPITAL CORPORATION, ITS GENERAL PARTNER.

BY: ROBERT L. MENCKE, VICE PRESIDENT.

STATE OF TEXAS

COUNTY OF DALLAS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2012, BY ROBERT L. MENCKE, VICE PRESIDENT OF PEDIMONT CAPITAL CORPORATION, A TEXAS LIMITED PARTNERSHIP, AND THE GENERAL PARTNER OF PEDIMONT PARTNERS, L.P., A TEXAS LIMITED PARTNERSHIP, ON BEHALF OF SUCH CORPORATION AND LIMITED PARTNERSHIP, AND AS THE ACT AND DEED OF SUCH CORPORATION AND LIMITED PARTNERSHIP, FOR THE CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE

THAT I, DAVID R. PETREE, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MARKS SHOWN THEREON ARE TRUE AND CORRECT AND THAT I AM A LICENSED PROFESSIONAL SURVEYOR UNDER THE PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ALLEN, TEXAS.

PRELIMINARY

DAVID R. PETREE, R.P.L.S., REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1890

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DAVID R. PETREE, 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 STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2012.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES _____

APPROVED

ATTEST

CHAIRPERSON PLANNING AND ZONING COMMISSION

SECRETARY PLANNING AND 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 THE GREENVILLE CENTER SUBDIVISION OR ADDITION TO THE CITY OF ALLEN WAS SUBMITTED TO THE PLANNING AND ZONING COMMISSION AND APPROVED BY IT ON THE _____ DAY OF _____, 2012.

CITY SECRETARY, CITY OF ALLEN

EASEMENT TANGENT TABLE

Table with 4 columns: NO., BEARING, DISTANCE, CHORD. Rows 11-28.

EASEMENT CURVE TABLE

Table with 6 columns: NO., RADIUS, DELTA, ARC, CHL BEARING, CHORD. Rows C1-C14.

FINAL PLAT OF GREENVILLE CENTER ADDITION LOT 11, BLOCK A

BEING 0.9724 ACRES OUT OF THE HENRY WETSEL SURVEY, ABSTRACT NO. 1026 & THE JAMES T. ROBERTS SURVEY, ABSTRACT NO. 777 CITY OF ALLEN, COLLIN COUNTY, TEXAS

ENGINEER BERDMONT STACY PARTNERS, L.P. 3400 CARLISLE STREET, SUITE 440 DALLAS, TEXAS 75204 CONTACT: ROBERT L. MENCKE

ENGINEER BURGER ENGINEERING, L.L.C. 17103 PRESTON ROAD, SUITE 180N DALLAS, TEXAS 75248 CONTACT: BRIAN M. BURGER, P.E.

SURVEYOR DAVID R. PETREE, R.P.L.S. 11015 MEADOW ROAD DALLAS, TEXAS 75229 (214) 309-4200

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: October 2, 2012

SUBJECT: Consider a revision to an 8.934± acre portion of the General Development Plan for Kids R Kids; located north of Exchange Parkway and west of Alma Drive. (GDP-8/20/12-59) [Legacy ER]

STAFF RESOURCE: Shelby Griffin
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development No. 53 – Approved May 1993
General Development Plan – Approved February, 2008
Preliminary Plat – Approved February, 2008
Final Plat – Approved July, 2008

BACKGROUND

The property is located north of Exchange Parkway and west of Alma Drive. The properties to the north are zoned Planned Development No. 53 for Single Family Residential “R-6” use. The property to the east (across Alma Drive) is zoned for Shopping Center “SC” use. The properties to the south (across Exchange Parkway) is zoned Planned Development No. 54 for Single Family Residential “SF” use. The property to the west is zoned Planned Development No. 53 for Community Facility “CF” use.

The property is currently zoned Planned Development No. 53 with a base zoning of Shopping Center “SC”. The approved General Development (GDP) shows two (2) lots. Lot 2, at the northwest corner of the site has been developed as a day care use for Kids R Kids. The revised GDP is for Lot 1 and will not affect the configuration of Lot 2. The uses proposed are consistent with Planned Development No. 53 and show a mixture of office, retail, restaurant, and medical clinic uses.

There are two existing access points on the site; one access point being off of Exchange Parkway and one access point being off of Alma Drive. There are two additional access points proposed; one off of Exchange Parkway and one access point off of Alma Drive. The revised GDP shows all existing infrastructure in a gray tone.

A ten (10) foot Hike and Bike Trail is shown along Exchange Parkway and a five (5) foot sidewalk is shown along Alma Drive.

The General Development Plan has been reviewed by the Technical Review Committee and meets the standards of the ALDC.

STAFF RECOMMENDATION

Approval

RECOMMENDED MOTION

I make a motion to approve the revision to an 8.934± acre portion of the General Development Plan for Kids R Kids; located north of Exchange Parkway and west of Alma Drive.

ATTACHMENTS

Revised General Development Plan



SGstudio_collaborative, llc.
 ARCHITECT / APPLICANT:
 SG STUDIO COLLABORATIVE, LLC
 800 JACKSON STREET, SUITE 500
 DALLAS, TEXAS 75202
 PHONE: 214.870.0050
 FAX: 214.870.0052

SITES:
 LAND WISENANT
 3338 OAK LAWN AVENUE, SUITE 1416
 DALLAS, TEXAS 75219
 PHONE: 972.963.9333
 FAX: 972.963.1251

SITE LOCATION



TOTAL ACREAGE = 10.649 ACRES

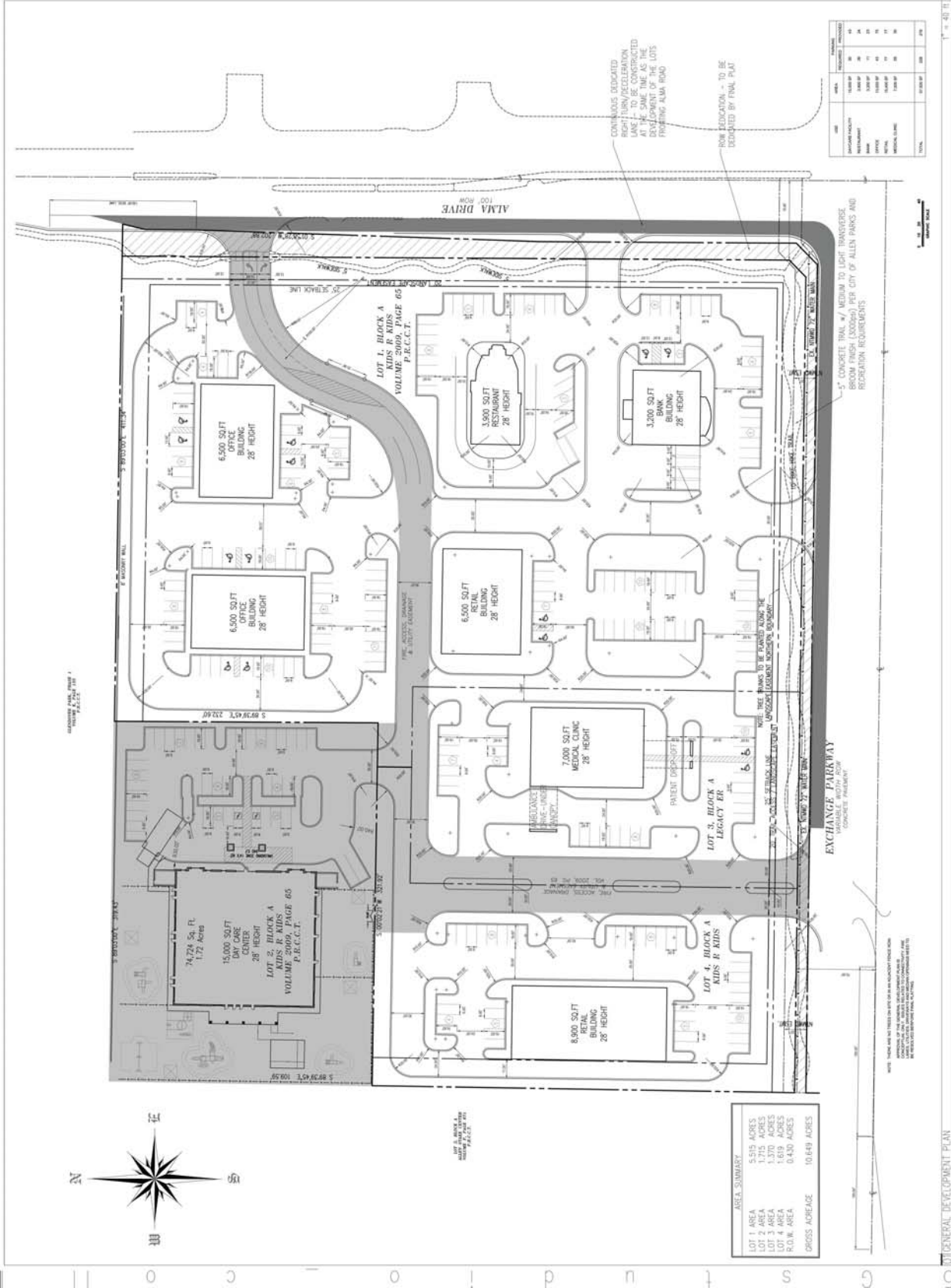
REGULATORY CODE	APPLICABLE
216.010	YES
216.011	NO
216.012	NO
216.013	NO
216.014	NO
216.015	NO
216.016	NO
216.017	NO
216.018	NO
216.019	NO
216.020	NO
216.021	NO
216.022	NO
216.023	NO
216.024	NO

INCOMPLETE DOCUMENTS FOR INTERIM REVIEW ONLY.
 NOT FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION.

SEE 3-A AXIS, BLOCK A, LOT 1
 EXCHANGE PARKWAY AND ALMA DRIVE
 ALLEN, TEXAS

GENERAL DEVELOPMENT PLAN
 PLANNED DEVELOPMENT 53 - SC

1208193 ***** A01.00



USE	AREA (SQ FT)	PERCENTAGE
TOTAL	1,000,000	100%
RESIDENTIAL	100,000	10%
COMMERCIAL	900,000	90%

AREA SUMMARY

LOT 1 AREA	5.515 ACRES
LOT 2 AREA	1.72 ACRES
LOT 3 AREA	1.375 ACRES
LOT 4 AREA	1.619 ACRES
R.O.M. AREA	0.440 ACRES
GROSS ACREAGE	10.649 ACRES

T = 48" @ 1"

GENERAL DEVELOPMENT PLAN