

January 17, 2017, Planning and Zoning Commission Meeting Minutes

Public Hearing – Conduct a Public Hearing and consider a request for a Specific Use Permit SUP for a Gymnastics and Sports Training Facility use. The property is an approximately 13,095± square foot portion of the building located on Lot 1, Block A of Lots 1 & 2, Allen Business Center II; generally located north of Bethany Drive and west of Greenville Avenue (and commonly known as 718 S. Greenville Avenue). (SUP-11/29/16-117) [Alliance Cheer at Tech Center One]

Chairman Cocking stated that one member of the P&Z will be recusing himself due to a conflict of interest.

Ms. Meredith Nurge, Planner, presented the item to the Commission. She stated the item is a request for a Specific Use Permit for Alliance Cheer at Tech Center One. The property is generally located north of Bethany Drive and west of Greenville Avenue. The property to the north is zoned Planned Development PD No. 3 for Light Industrial LI. The properties to the west and south are zoned Planned Development PD No. 3 for Shopping Center SC. To the east (across Greenville Avenue), the properties are zoned Planned Development PD No. 46 for Community Facilities CF and Single-Family Residential District R-5.

The applicant is proposing to tenant an approximately 13,095± square foot portion of the existing building for a competitive cheerleading training facility. Staff categorizes this type of use as a Gymnastics and Sports Training Facility use.

The property is zoned Planned Development PD No. 3 for Light Industrial LI. The Allen Land Development Code requires a Specific Use Permit SUP for a Gymnastics and Sports Training Facility use within the Light Industrial zoning district.

Ms. Nurge explained that the applicant submitted a business summary in conjunction with the SUP application. The following is a summary of the proposed business operations:

- Regular operating hours: Monday through Friday 4:30 p.m. – 9:30 p.m.; Saturday 10:00 a.m. – 6:00 p.m.; Sunday 1:00 p.m. – 9:00 p.m.
- Any special events will be held on weekends.
- The center will be staffed with a maximum of six staff members and 60 students.

The applicant is confident that parking provided will adequately support the facility because of parent drop-off and evening operating hours. Staff also believes the amount of parking is adequate for the proposed use.

There are no proposed changes to the exterior of the building.

The Specific Use Permit request has been reviewed by the Technical Review Committee.

2nd Vice Chair Platt asked if the applicant would be in a shared facility.

Ms. Nurge said yes.

Chairman Cocking opened the Public Hearing.

Matt Sturgis, 21 Prestige Cr., Allen, Texas, spoke in opposition of the request. He voiced concerns regarding and proximity of the proposed development to surrounding similar developments. He said that

the current gyms are the only gyms allowed in the immediate area, as stated by the Planning and Zoning Commission several years ago.

Bruce Heller, 718 Greenville Ave., Allen, Texas, Applicant, spoke in support of the request. He provided a detailed explanation about the parking and the hours of operation. The proposed development has less parking than what is required; however, because of the non-peak hours of operation, parking will be adequate as it will be available due to different hours of operation of the other tenants which would not overlap with this proposed facility.

Ginger Taub, 131 Buckingham Ln., Allen, Texas, spoke in opposition of the request. She voiced concerns regarding the hours of operation and the location of the gym.

Nathan Pipitone III, 1607 Thoroughbred Ln., Allen, Texas spoke in opposition of the request. He had concerns regarding the hours of operation and the potential gym owner having previously been affiliated with a nearby gym.

Jen Brungardf, Allen, Texas, spoke in opposition of the request. She also voiced concerns regarding the potential gym owner having previously been affiliated with a nearby gym.

Chairman Cocking closed the Public Hearing.

Written opposition included:

- Brian Mazzei, 1410 Sunshine Dr., Allen, Texas - Opposed
- Krista Thornley, 710 Beaumont Ct., Allen, Texas – Opposed
- David and Lisa Hightower, 1621 Pecan Creek Ln., Allen, Texas – Opposed
- Jason Gillespie, 1226 Comanche Dr., Allen, Texas – Opposed
- Jamie Hinkel, 1720 Live Oak Ln., Allen, Texas – Opposed
- Ann Pipitone, 1602 Thoroughbred Ln., Allen, Texas – Opposed
- Kristi Baker, 1814 Northbrook Ct., Allen, Texas – Opposed
- Kathy Heurder, 2254 Enchantment Ln., Allen, Texas – Opposed

Chairman Cocking asked if the hours of operation would be the only hours allowed or if the hours could be extended past this time.

Ms. Nurge said that the hours of operation presented are the hours received from the applicant. These will be written down in the SUP.

Mr. Bo Bass, Director of Community Development, said that the Planning and Zoning Commission may limit the hours of operation, but that the applicant should ensure that the hours of operation are suitable for the development.

Mr. Heller answered yes, the hours listed in the SUP Site Plan are the intended hours.

Mr. Bass said that any hours outside of the hours that are listed would be in violation of the SUP Ordinance if Council approves the SUP.

Chairman Cocking said that he was not aware of a time when the Planning and Zoning Commission made a restriction on the number of similar uses allowed in an immediate area.

Mr. Bass said that is also not aware of any limitation on any land use. He said that staff does not look at the number of similar uses within a specific area. Instead, staff is more concerned about the functionality and life safety of the use.

Commissioner Hollingsworth said that two similar restaurants exist within that area, across the street from one another.

Commissioner Mangrum suggested that the cheer facilities join and do an event together.

Chairman Cocking said that the commission does not have a right to regulate commerce and cannot decide how many of one particular use is too many.

Motion: **Upon a motion by 1st Vice-Chair Trahan and a second by 2nd Vice-Chair Platt, the Commission voted 6 IN FAVOR, and 0 OPPOSED to approve the request for a Specific Use Permit SUP for a Gymnastics and Sports Training Facility use for the approximately 13,095± square foot portion of the building; generally located north of Bethany Drive and west of Greenville Avenue (and commonly known as 718 S. Greenville Avenue), with the addition of the hours of operation to be included in ordinance.**

The motion carried.