

**November 21, 2017 Planning and Zoning Commission Meeting Minutes**

Public Hearing – Conduct a Public Hearing and consider a request to amend the Development Regulations of Planned Development PD No. 40 Corridor Commercial “CC” and to adopt a Concept Plan, Special Event/Temporary Use Exhibit, Sign Plan, and Building Elevations for 11.944± acres out of the Seaborn and Clements Survey, Abstract No. 879, and including a portion of Lot 1, Block A, Cottonwood Creek Baptist Church Addition; generally located south of State Highway 121 and west of Watters Road. (ZN-080717-0007) [Allen Harley Davidson]

Mr. Marc Kurbansade, Director of Community Development, presented the item to the Commission. Mr. Kurbansade stated that the item is a PD Amendment for Allen Harley Davidson. The property is generally located south of State Highway 121 and west of Watters Road. The property to the north (across SH 121) is the City of McKinney. The properties to the west, south, and east are zoned Planned Development PD No. 40 Corridor Commercial CC. He stated that the property is currently zoned Planned Development PD No. 40 Corridor Commercial CC.

Mr. Kurbansade stated that there are two points of access into the property and that both on are SH 121. He noted that a deceleration lane on SH 121 is also proposed to facilitate access into the site.

Mr. Kurbansade stated that the 25-foot landscape buffer is encumbered with various easements but 15 feet of the buffer will be a clear space for planting the trees and other landscaping required by the Allen Land Development Code. He stated that Department of Engineering and Department of Parks and Recreation have worked to ensure that adequate landscaping is provided and that utilities are unencumbered. He noted that to accommodate the building on the site, the parking setback is reduced to 40 feet (from 50 feet) along State Highway 121.

Mr. Kurbansade stated that the building will be one story with a maximum height of 38 feet and that primary building materials include concrete, stucco, glass, and some metal elements.

Mr. Kurbansade stated that the Special Event/Temporary Use Exhibit includes three areas designated for various events. He noted that the Development Regulations specify various conditions, including a regulation that the minimum parking requirement must be met during the special events.

Mr. Kurbansade stated that sign is proposed along State Highway 121. He stated that the Sign Exhibit shows a 55-foot-tall pole sign with a copy area of approximately 200-300 square feet.

Mr. Kurbansade stated that the Development Regulations include design standards to amend the Planned Development, including the additional permitted use, setbacks, signage, traffic and street improvements, tree mitigation, outdoor display, and temporary use/special events. He noted that the tree mitigation included an allowance for a 25% reduction with respect to Hackberry trees.

Mr. Kurbansade stated that the language in the Development Regulations for the Outdoor Sales and Display Area has been modified from what was provided to the Commissioners. He noted that the updated language does not change what is being proposed and makes it clear that outdoor display is allowed one hour prior to business opening, during business hours, and one hour after business hours. He stated that the original language could be read that outdoor display was only allowed one hour prior to business hours and one hour after business hours but not during business hours. He stated that staff wanted to clarify the language in the ordinance to meet the intent. He asked Commission that, should they choose to make a motion, they would read this revision into the motion.

Mr. Kurbansade stated that while staff is recommending approval of the item, staff does not support the height of the proposed sign as there is no policy guidance for such a deviation from the Allen Land Development Code. He stated that when the recommendation is made to City Council, the Commission can either recommend or not recommend with or without conditions. He reminded the Commission that their discussion of approval or denial is recorded in the official record and forwarded to City Council in meeting minutes. He encouraged the Commission to structure their recommendation without conditions.

Commissioner Autrey asked for clarification on how staff asked the motion to be read. He noted that his experience on the Sign Control Board made him concerned that the issue of signage may come up at a later date.

Mr. Kurbansade reiterated that the Commissioners' discussion on preferences about any Development Regulation and any concerns the Commissioners may have will be entered into the record for City Council to review. He asked that the Commission make a recommendation without condition.

Commissioner Hollingsworth asked for information about sign heights along US Highway 75.

Mr. Kurbansade stated that US Highway 75 is the only location in the City of Allen that pole signs are allowed by right. He noted that elsewhere in the City only allows monument signs. He stated that he believes that the height of pole signs varies but will confirm the maximum pole height.

Commissioner Metevier stated that the information provided in the packet shows that the Applicant is proposing a 55-foot-tall pole sign and the Allen Land Development Code only allows an eight-foot tall monument sign with a 60-square-foot copy area and a 90-square-foot area on the building itself.

Mr. Kurbansade stated that those specifications are for a freestanding monument sign, not for attached wall signs.

Commissioner Metevier asked what signage is allowed if attached to a building.

Mr. Kurbansade stated that he will confirm in the Allen Land Development Code.

Commissioner Autrey asked if the property was owned by Cottonwood Creek Baptist Church.

Mr. Kurbansade stated that there are a few different parcels, of which some are owned by Cottonwood Creek Baptist Church.

Commissioner Ogrizovich asked if the Church was in support of the proposal.

Mr. Kurbansade stated that he only received one letter of support from William Wines, who owns the property to the east of the subject property.

Commissioner Ogrizovich asked if the property owned by William Wines was immediately to the east along State Highway 121.

Mr. Kurbansade stated that all parcels face State Highway 121 and confirmed that it was the parcel immediately to the east of the subject property.

Commissioner Metevier asked staff to elaborate on the Development Regulations regarding special events, the parking associated with those events, and the responsibilities of the user during those events. He noted that the information provided to the Commission stated that the user would need written agreement from

the surrounding property owners and written approval from the Department of Community Development for those permits.

Mr. Kurbansade stated that the Commissioner was correct. He noted that the special events at the proposed location will function the same as current location. He stated that staff is ensuring they meet the requirements.

Michael Clark, 6750 Hillcrest Plaza #325, Dallas, TX, the Applicant, stated that he is representing Coyote Motorsports and Harley Davidson. He noted that the Church is the seller of the property, have signed the application for rezoning, and are in support of the case.

Mr. Clark noted that the business is relocating due to the need for more space. He stated that the business looked at a few locations before picking this site. He stated that the site does have issues with grading and utilities, constraining the buildable area. He demonstrated the channels and culverts that keep the site at a lower grade.

Mr. Clark stated that the requested signage is imperative for the tenant and that a maximum height of eight feet is too small regardless of the requested maximum height. He stated that the sign's height places it five to six feet lower than State Highway 121, the site's only access point. He noted that due to the limited access, this signage was critical to customers finding the property. He showed a picture of how visible the sign would be at the preceding offramp. He reiterated that the sign is imperative for the functionality of the site.

Mr. Clark stated that he did not want to go to City Council with a recommendation for denial solely based on the signage, as the proposed zoning change would then require a super majority vote. He asked the Commission that they recommend approval with concern for sign height if the rest of the plan is palatable.

Commissioner Hollingsworth asked if the proposed height was typical for pole signs at other, similar locations.

Mr. Clark noted that it was difficult to determine the exact measurement but that pole sign heights ranged from 33 to 50 feet in height. He stated that the Applicant worked to give the columns an ornamental look but that the pole sign is a Harley Davidson standard.

Commissioner Hollingsworth asked how the site compared to other locations, specifically in the size of the building and the size of the site.

Mr. Clark said that it is a large site but more constrained and does not make a good comparison to others. He noted that the proposed store is approximately 46,000 square feet, which is larger than current store. He noted that it was comparable to other recently developed stores.

2<sup>nd</sup> Vice-Chair Orr opened the public hearing.

2<sup>nd</sup> Vice-Chair Orr noted that there was one letter received:

- William R. Wines, East of the Property, Allen, TX, SUPPORT

2<sup>nd</sup> Vice-Chair Orr also noted that the Commission received two comment cards for citizens who did not wish to speak:

- Amanda Gonzalez, 913 Parkplace Ridge, Princeton, TX, SUPPORT
- Shawn Feiock, 3421 Black Gold Drive, McKinney, TX, SUPPORT

2<sup>nd</sup> Vice-Chair Orr closed the public hearing.

Commissioner Ogrizovich asked staff if the City of McKinney allows pole signs along State Highway 121.

Mr. Kurbansade noted that the City of McKinney allows a range of signage, including pole signs and wrapped monument signs along State Highway 121. He noted that directly across from the subject property, an existing gas station has a pole sign with a height of 30 to 35 feet.

Commissioner Ogrizovich asked if staff is opposed to the proposed height of the pole sign.

Mr. Kurbansade said that staff does not support the proposed height of the pole sign because it is such a large departure from the adopted policy. He noted that the existing policy allows an eight-foot-tall monument sign. He noted that the City does allow pole signs along the US Highway 75 corridor, with a single tenant retail use allowed to build a 20-foot-tall and 60 square foot copy area pole sign. He stated that he does also recognize existing circumstances relating to the topography, but that, absent of a policy, it is difficult for staff to recommend approval for a drastic change in policy.

Commissioner Ogrizovich asked for staff's opinion on the Applicant's suggestion regarding the proposed motion.

Mr. Kurbansade stated he was trying to make a similar suggestion in that he was recommending the Commission make a cohesive recommendation and not to pull individual Development Regulations out.

Commissioner Hollingsworth asked if staff intended to change the sign ordinance regulations for State Highway 121.

Mr. Kurbansade stated that the staff has begun the process of determining standards for State Highway 121. He noted that staff spoke to City Council at a workshop last month about the subject and that City Council determined that it would be discussed at the upcoming Strategic Planning session. He stated that this conversation would include landscape, signage, and setbacks along State Highway 121.

Commissioner Hollingsworth asked if there was a distinction between signs on walls and pole signs. He noted that it is possible to have tall buildings with wall signs at the top of the building, which is much higher than the proposed pole sign.

Mr. Kurbansade stated that they are two different types of signs that are treated differently. He noted that wall signs are regulated separately from free standing signs.

2<sup>nd</sup> Vice-Chair Orr noted that this is one of the first properties being developed along State Highway 121, so the standards are up for debate. He stated that further down the line these concerns may be worked out, but that now it is important to spur development while also being sensitive to signage concerns.

Commissioner Ogrizovich stated that there is a property at Custer Road and State Highway 121 that is being considered for development as mixed use. He asked staff if there was a likelihood that that property will want signage beyond the current ordinance.

Mr. Kurbansade stated that staff anticipates any development along State Highway 121 with retail will seek additional signage while office components will likely use wall signage. He noted that staff understands that the policy will need to be addressed and will be discussed at the Strategic Planning session with City Council.

**Motion:** Upon a motion by Commissioner Ogrizovich, and a second by Commissioner Hollingsworth, the Commission voted 5 IN FAVOR, and 0 OPPOSED to recommend approval of the request to amend the Development Regulations of Planned Development PD No. 40 Corridor Commercial “CC” and to adopt a Concept Plan, Special Event/Temporary Use Exhibit, Sign Plan, and Building Elevations for 11.944± acres; generally located south of State Highway 121 and west of Watters Road, for Allen Harley Davidson, noting the Commission’s general concern for the 55-foot pole sign, and with the following condition that Section I of the Development Regulations be changed to read “Outdoor display of motorcycles shall be permitted each day only during the period beginning one hour (1) prior to when the sales area of the motorcycle sales business is open to the public and ending one (1) hour after the sales area is closed to the public and shall be limited to the area shown on the Concept Plan.”

The motion carried.

**ATTENDANCE:**

**Commissioners Present:**

Michael Orr, 2<sup>nd</sup> Vice-Chair  
Gene Autrey  
Luke Hollingsworth  
Dan Metevier  
John Ogrizovich

**Absent:**

Ben Trahan, Chair  
Stephen Platt, Jr., 1<sup>st</sup> Vice-Chair