

PLANNING AND ZONING COMMISSION

REGULAR MEETING

April 2, 2019

ATTENDANCE:

Commissioners Present:

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

City Staff Present:

Marc Kurbansade, AICP, Director of Community Development
Brian Bristow, RLA, Assistant Director of Parks and Recreation
Joseph Cotton, P.E., Assistant Director of Engineering
Hayley Angel, AICP Candidate, Planner
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 7:03 p.m. in the City Hall Council Chambers Room at Allen City Hall, 305 Century Parkway, Allen, Texas, 75013.

Director's Report

1. The Director discussed the action taken on the Planning & Zoning Commission items by City Council at the March 26, 2019.

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 March 19, 2019, regular meeting.

Motion: Upon a motion by 1st 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 Commercial Corridor CC to Authorize a Smoking Establishment Use after Approval of a Specific Use Permit and to Adopt a Concept Plan for Lot 1, Block A, Starcreek Village; Generally Located at the Southwestern Corner of the Intersection of States Highway 121 and Watters Road (and Commonly Known as 975 N. Watters Road). (ZN-021519-0045) [Starcreek Village – Smoking Establishment]

Mr. Kurbansade, Director of Community Development, presented the item to the Commission.

Mr. Kurbansade noted that staff is in support of the agenda item.

Chair Trahan opened the public hearing.

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

The Commission discussed the following:

- Definition of a smoking establishment,
- Any potential limitations on adjacent uses, and
- Outdoor smoking.

Motion: 1st Vice-Chair Platt motioned to recommend approval and there was no second. The motion failed.

Upon a motion by Commissioner Autrey, and a second by Commissioner Ogrizovich, the Commission voted 3 IN FAVOR, and 4 OPPOSED to recommend denial of the request to amend the Development Regulations of Planned Development PD No. 92 Commercial Corridor CC to Authorize a Smoking Establishment after approval of a Specific Use Permit and to adopt a Concept Plan for Lot 1, Block A, Starcreek Village. The motion failed.

Upon a motion by 1st Vice-Chair Platt, and a second by 2nd Vice-Chair Orr, the Commission voted 4 IN FAVOR, and 3 OPPOSED to recommend approval of the request to amend the Development Regulations of Planned Development PD No. 92 Commercial Corridor CC to Authorize a Smoking Establishment after approval of a Specific Use Permit and to adopt a Concept Plan for Lot 1, Block A, Starcreek Village, with the recommendation to adopt Patio Elevations. The motion carried.

4. **Public Hearing** – Conduct a Public Hearing and Consider a Request for a Specific Use Permit SUP for a Smoking Establishment Use for an Approximately 4,775± Square Foot Portion of a Building Located on Lot 1, Block A, Starcreek Village; Generally Located at the Southwestern Corner of the Intersection of State Highway 121 and Watters Road (And Commonly Known as 975 N. Watters Road, Suite 190). (SUP-021519-0021) [Starcreek Village – Cigar Palace]

Mr. Kurbansade, Director of Community Development, presented the item to the Commission.

Mr. Kurbansade noted that staff is in support of the agenda item.

Chair Trahan opened the public hearing.

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

Motion: Upon a motion by 1st Vice-Chair Platt, and a second by Commissioner Shaikh, the Commission voted 4 IN FAVOR, and 3 OPPOSED to approve the request for a Specific Use Permit SUP for a Smoking Establishment use for an approximately 4,775± square foot portion of a building located on Lot 1, Block A, Starcreek Village; generally located at the southwestern corner of the intersection of State Highway 121 and Watters Road. The motion carried.

5. **Public Hearing** – Conduct a Public Hearing and Consider a Request to Amend the Development Regulations of Planned Development PD No. 21 Garden Office GO and to Adopt a Sign Location Map and Sign Elevation for Lot 1, Block A, The Dentist of Allen; Generally Located at the Southeastern Corner of the Intersection of U.S. Highway 75 and Exchange Parkway. (ZN-022219-0048) [The Dentist of Allen – Sign Plan]

Mr. Kurbansade, Director of Community Development, presented the item to the Commission.

Mr. Kurbansade noted that staff is not in support of the agenda item.

Douglas Jorgenson, 4610 Mint Way, Dallas, TX, and David Bishop, 17 Bishop Gate, Allen, TX, the Applicants, discussed the reason for the request and the history of the property's development.

Chair Trahan opened the public hearing.

The following individual submitted letters in support of the item:

- Gary Rodenbaugh, 259 Exchange Parkway, Allen, TX.

The following individuals spoke in opposition of the item:

- Robert Acker, 216 Glenwick Place, Allen, TX,
- Raymond Cotnoir, 215 Glenwick Place, Allen, TX,
- David Winter, 202 Glenwick Place, Allen, TX,
- Nancy Koehler, 214 Glenwick Place, Allen, TX,
- Doug Gallagher, 204 Glenwick Place, Allen, TX,
- Jim Longley, 209 Exchange Place, Allen, TX,
- Charlotte Abernathy, 207 Glenwick Place, Allen, TX,
- Robert Mahan, 737 Bush Drive, Allen, TX, and
- Elizabeth Kennedy, 203 Wildwood Place, Allen, TX.

The following individuals did not speak but submitted comment cards in opposition of the item:

- Sam Clark, 221 Glenwick Place, Allen, TX,
- Kelly Cunningham, 727 Fairlawn Street, Allen, TX,
- Bonnie Monroe, 218 Wildwood Place, Allen, TX,
- Abigail Nakhro, 738 Bush Drive, Allen, TX,
- Barbara Dobson, 210 Glenwick, Allen, TX,
- Rosemary Nakhro, 738 Bush Drive, Allen, TX,
- Ann Norton, 1410 Placer Drive, Allen, TX,
- Donna Brede, 735 Bush Drive, Allen, TX,
- Lydia Koehler, 214 Glenwick Place, Allen, TX,
- Debbie McFadin, 218 Glenwick Place, Allen, TX, and
- Earl Sandberg, 722 Bush Drive, Allen, TX.

Chair Trahan closed the public hearing.

The Commission discussed the following:

- The proposed content for the sign,
- The U.S. Highway 75 sound wall, and
- The property's previous Sign Control Board case.

Motion: Upon a motion by Commissioner Metevier, and a second by Commissioner Ogrizovich, the Commission voted 6 IN FAVOR, and 1 OPPOSED to recommend denial of the request to amend the Development Regulations of Planned Development PD No. 21 Garden Office GO and to adopt a Sign Location Map and Sign Elevation for

Lot 1, Block A, The Dentist of Allen; generally located at the southeastern corner of the intersection of U.S. Highway 75 and Exchange Parkway. The motion carried.

6. **Public Hearing** – Conduct a Public Hearing and Consider a Request to Establish a Planned Development Zoning District with a Base Zoning of Central Business District “CBD” and to Adopt Development Regulations, Concept Plan, Building Elevations, Architectural Plan, Open Space Plan, and Street Cross Sections for Approximately 12.28± Acres in the A. B. Perrin Survey, Abstract No. 713 and William Perrin Survey, Abstract No. 708; Generally Located at the Northeast Quadrant of U.S. Highway 75 and W. Main Street and Bounded by Anna Drive, Main Street, U.S. Highway 75, and the Southern boundary of Block and C of Whisenant Estates Addition. (ZN-113018-0042) [Allen City Center – Urban Residential and Office Uses]

Mr. Kurbansade, Director of Community Development, presented the item to the Commission.

Mr. Kurbansade noted that staff is in support of the agenda item.

Chair Trahan opened the public hearing.

The following individuals submitted letters in opposition of the item:

- Shradha Bhalla, 102 Anna Drive, Allen, TX,
- Frank Burpo, 406 W. Main Street, Allen, TX,
- Connie Budz, 503 W. Coats Drive, Allen, TX,
- Maxine McMaines, 404 W. Coats Drive, Allen, TX,
- Loleeto Campbell, 404 W. Coats Drive, Allen, TX,
- Jesus Cabrera, 402 W. Coats Drive, Allen, TX,
- Fernanda Hernandez, 402 W. Coats Drive, Allen, TX,
- Pervez Mahmud, 405 W. Coats Drive, Allen, TX,
- Jahanara Mahmud, 405 W. Coats Drive, Allen, TX,
- Adelia D. Scaife, 403 W. Coats Drive, Allen, TX,
- Frank B. Johnson, 407 W. Coats Drive, Allen, TX,
- Scott McCroskey, 500, 502, 504 W. Coats Drive, Allen, TX,
- Alyson Casey, 1514 Flameleaf Drive, Allen, TX,
- Margaret Ives, 401 W. Coats Drive, Allen, TX,
- Sinan Yildirim, 206 Central Expressway N., Allen, TX,
- Sui Nguyen, 411 W. Coats Drive, Allen, TX,
- Judy Adams, 409 W. Coats Drive, Allen, TX, and
- Kelvin Kelley, 406 W. Coats Drive, Allen, TX.

The following individuals spoke in opposition of the item:

- Shannon Tumlinson, 103 N. Allen Drive, Allen, TX,
- Jeanie Schulmeister, 605 Granbury Drive, Allen, TX,
- Senih Yildirim, 206 Central Expressway N., Allen, TX,
- Charles E. Webb, 1609 Roanoke Drive, Allen, TX,
- Chris Rivera, 302 N. Bonham Drive, Allen, TX,
- Jon Toney, 514 Oldbridge Drive, Allen, TX,
- Adelia Scaife, 403 W. Coats Drive, Allen, TX,
- Judy Adams, 409 W. Coats Drive, Allen, TX,
- Louis Mancuso, 304 W. Anna Drive, Allen, TX,
- Melanie Hughes, 920 Rush Creek Drive, Allen, TX,
- Misty Strebeck, 302 N. Bonham Drive, Allen, TX,
- Mary Wong, 111 Melody Mall, Allen, TX,
- Robert Acker, 206 Glenwick Place, Allen, TX, and
- Doug Gallagher, 204 Glenwick Drive, Allen, TX.

The following individuals did not speak but submitted comment cards in opposition of the item:

- Margaret Ives, 401 W. Coats Drive, Allen, TX,
- Sam Clark, 221 Glenwick Place, Allen, TX,
- Connie L. Cooley, 514 Fairhaven Drive, Allen, TX,
- Randy Johnson, 407 W. Coats Drive, Allen, TX,
- Jane bennett, 924 Scotia Drive, Allen, TX,
- David Winter, 202 Glenwick Place, Allen, TX,
- Sinan Yildirim, 206 Central Expressway N., Allen, TX,
- Marianna Sennour, 880 Clear Water Drive, Allen, TX,
- Fatih Yildirim, 206 Central Expressway N., Allen, TX,
- Alyson Casey, 1514 Flameleaf Drive, Allen, TX,
- Rick Ives, 401 W. Coats Drive, Allen, TX,
- Jessica Romeroll, 1216 Rio Grande Drive, Allen, TX,
- Frieda Bone, 502 Ola Lane, Allen, TX,
- Michelle Mancuso, 304 N. Anna Drive, Allen, TX,
- Johnny Dannell, 304 W. Coats Drive, Allen, TX, and
- Erin Peterson, 103 N. Allen Drive, Allen, TX.

The following individuals did not speak but submitted comment cards in support of the item:

- Jim Wonedorph, 405 W. Main Street, Allen, TX, and
- Carlina Woneldorph, 405 W. Main Street, Allen, TX.

Chair Trahan closed the public hearing.

Jonathan Kerby, 260 E. Davis Street, McKinney, TX, the Applicant, spoke about the Traffic Impact Analysis.

Mark Wolf, 8340 Meadow Road, Suite 150, Dallas, TX, the Applicant, spoke about land uses and the City of Allen Comprehensive Plan.

Nadia Christian, 6501 River Edge Drive, Plano, TX, the Applicant, spoke about the history of the project and citizen concerns.

The Commission discussed the following:

- The proposed public park,
- The highest and best use for the property,
- The adjacent existing structures,
- The massing of the project,
- The office component of the project,
- The Traffic Impact Analysis and associated improvements,
- Density,
- The long-term impact of the proposed development, and
- The Central Business District zoning district requirements.

Chair Trahan reopened the public hearing.

Motion: Upon a motion by Commissioner Autrey, and a second by Commissioner Metevier, the Commission voted 7 APPROVE, and 0 OPPOSED to continue the public hearing for the request to establish a Planned Development Zoning District with a base zoning of Central Business District "CBD" and to adopt Development Regulations, Concept Plan, Building Elevations, Architectural Plan, Open Space Plan, and Street Cross Sections for approximately 12.28± acres in the A. B. Perrin Survey, Abstract No. 713 and William Perrin Survey, Abstract No. 708; generally located at the northeast quadrant of U.S. Highway 75 and W. Main Street and bounded by Anna Drive, Main Street, U.S. Highway 75, and the southern boundary of Block and C of Whisenant Estates Addition, to date certain April 16, 2019, Planning and Zoning Commission meeting. The motion carried.

Executive Session (As Needed)

The Executive Session was not held.

Adjournment

The meeting adjourned at 10:22 p.m.

These minutes approved this _____ day of _____ 2019.

Ben Trahan, Chair

Hayley Angel, AICP Candidate