CITY OF ALLEN

AGENDA
CITY OF ALLEN
CITY COUNCIL REGULAR MEETING
TUESDAY, APRIL 25, 2023 – 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. **Public Recognition.**

   3.1 Proclamations by the Office of the Mayor.

   - Building Safety Month
   - Municipal Clerks Week
   - Cuffman Way

4. **Reports to City Council.**

   4.1
   - Planning and Zoning Commission Annual Report

5. **Citizens' Comments.**
   [The City Council invites citizens to speak to the Council on any topic not on the agenda or not already scheduled for Public Hearing. Prior to the meeting, please complete a "Public Meeting Appearance Card" and present it to the City Secretary. The time limit is three minutes per speaker, not to exceed a total of fifteen minutes for all speakers.]

6. **Consent Agenda.**
   [Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.]

   6.1 Approve minutes of the April 6, 2023, Joint City Council Workshop with the General Obligation Bond Steering Committee.

   6.2 Approve minutes of the April 11, 2023, Regular City Council Meeting.

   6.3 Motion to Reappoint Jim Kerr to the North Texas Municipal Water District Board as a Representative for the City of Allen for a Two-Year Term Effective June 1, 2023 through May 31, 2025.

   6.4 Set August 22, 24, and 25, 2023, as the Dates for the City Council Budget Workshop with

City Council and Executive Staff.

7. Regular Agenda.

7.1 Conduct a Public Hearing and adopt an Ordinance to change the zoning of Lot 1, Block 1, Jones Addition from Single-Family Residential R-2 to Single-Family Residential R-6 for a property generally located north of Prestige Circle and east of Greenville Avenue. [Windchase Ranch Addition]

8. Other Business.

[Council announcements regarding local civic and charitable events, meetings, fundraisers, and awards.]

8.1 Calendar.

- April 24 - May 2 - Early Voting for the City of Allen General Election
- May 6 - Election Day, 7 a.m. - 7 p.m.
- May 8 - Engage Allen: 2023 Bond Public Kickoff Meeting, 7:00 p.m., Allen ISD STEAM Center, 1680 Ridgewood Drive

8.2 Items of Interest.

9. Executive Session (As needed).

Legal, Section 551.071.

As authorized by Section 551.071(2) of the Texas Government Code, the Workshop Meeting and/or the Regular Agenda 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. (Closed to Public as Provided in the Texas Government Code.)

10. 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, April 21, 2023, 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.

CITY COUNCIL REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 25, 2023
AGENDA CAPTION:	Approve minutes of the April 6, 2023, Joint City Council Workshop with the General Obligation Bond Steering Committee.
STAFF RESOURCE:	Shelley B. George, City Secretary
STRATEGIC PLANNING GOAL:	Financially Sound and Transparent City Government.

ATTACHMENT(S)

Minutes

ALLEN CITY COUNCIL
SPECIAL CALLED JOINT MEETING WITH
GENERAL OBLIGATION BOND STEERING COMMITTEE
APRIL 6, 2023

Present:

Allen City Council
Kenneth M. Fulk, Mayor
Chris Schulmeister, Mayor Pro Tem
Daren Meis
Carl Clemencich
Dave Cornette
Dave Shafer
Ben Trahan

GO Bond Steering Committee
Robin Sedlacek, Chair
Kurt Kizer, Finance
Gary Rodenbaugh, Parks/Downtown
Jane Bennett, Public Art
Michael Schaeffer, Public Safety
Jim Waldbauer, Streets/Infrastructure/ Neighborhoods

City Staff
Eric Ellwanger, City Manager
Eric Strong, Deputy City Manager
Tim Dentler, Assistant City Manager
Rebecca Vice, Assistant City Manager
Shelley B. George, City Secretary
Marc Kurbansade, Community Development Director
Lee Battle, Community Enhancement Director
Chris Flanigan, Engineering Director
Pete Phillis, Chief Financial Officer
Mark Davies, Assistant Financial Officer
Kate Meacham, Parks and Recreation Director
Matt McCombs, Park Planning, Development & Public Art Manager
Brian Harvey, Police Chief
Teresa Warren, Public and Media Relations Director

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

With a quorum of the Allen City Council and General Obligation Bond (GO) Steering Committee present, the Allen City Council Special Called Joint Meeting with the GO Bond Steering Committee was called to order by Mayor Fulk at 5:45 p.m. on Thursday, April 6, 2023, in the Multi-purpose Room at Allen Senior Center, 451 St. Mary Drive, Allen, Texas 75002.

2. Welcome and Introductions.
- Steering Committee Member Introductions
- City Council Direction

3. Discussion Regarding the 2023 GO Bond Program Process.
- Process Overview and Timeline
- Steering Committee and Staff Roles
- Community Engagement Tool
- Staff Presentations – Identified Needs Areas:

- Parks & Recreation/Downtown
- Streets / Infrastructure/Neighborhoods
- Public Safety
- Public Art

4. Financial Overview.

- Status of 2016 Bond Election Projects and Related Bond Funding
- Outlook related to the 2023 General Obligation Bond Election

5. Discuss Upcoming Steering Committee Meeting on April 17, 2023.

6. Items of Interest. ***[Council announcements regarding local civic and charitable events, meetings, fundraisers, and awards.]***

- Calendar
  - April 17, 2023 – GO Bond Steering Committee Meeting
  - Early May (TBD) 2023 – Steering Committee and Sub-Committees Kick-off Meeting

7. Adjourn.

Mayor Fulk adjourned the Special Called Meeting of the Allen City Council and GO Bond Steering Committee at 7:54 p.m. on Thursday, April 6, 2023.

These minutes approved on the 25th day of April 2023.

APPROVED:

_____
Kenneth M. Fulk, MAYOR

ATTEST:

_____
Shelley B. George, TRMC, CITY SECRETARY

CITY COUNCIL REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 25, 2023
AGENDA CAPTION:	Approve minutes of the April 11, 2023, Regular City Council Meeting.
STAFF RESOURCE:	Shelley B. George, City Secretary
STRATEGIC PLANNING GOAL:	Financially Sound and Transparent City Government.

ATTACHMENT(S)

Minutes

ALLEN CITY COUNCIL

REGULAR MEETING

APRIL 11, 2023

Present:

Allen City Council:
Kenneth M. Fulk, Mayor
Chris Schulmeister, Mayor Pro Tem
Daren Meis
Carl Clemencich
Dave Cornette
Dave Shafer
Ben Trahan

City Staff:
Eric Ellwanger, City Manager
Eric Strong, Deputy City Manager
Tim Dentler, Assistant City Manager
Rebecca Vice, Assistant City Manager
Shelley B. George, City Secretary
Teresa Warren, Director, Public and Media Relations
Rocio Gonzalez, Deputy City Secretary
Pete Smith, City Attorney (absent)
Victoria Thomas, City Attorney

Workshop Session

1. Call to Order and Announce a Quorum is Present

With a quorum of the Allen City Council present, the Workshop of the Allen City Council was called to order by Mayor Fulk at 6:00 p.m. on Tuesday, April 11, 2023, in the Basement Meeting Rooms of Allen City Hall, 305 Century Parkway, Allen, Texas.

2. Discussion Items

2.1 Collin Central Appraisal District FY 2023 Appraisals.

2.2 Noise Ordinance.

2.3 Committee Updates from City Council Liaisons.

2.4 Questions on the current agenda.

3. Adjourn to Regular Meeting

With no further discussion, Mayor Fulk adjourned the Workshop of the Allen City Council at 6:54 p.m. on Tuesday, April 11, 2023, in the Basement Meeting Rooms of Allen City Hall, 305 Century Parkway, Allen, Texas.

Regular Meeting

1. Call to Order and Announce a Quorum is Present

With a quorum of the Allen City Council present, the Regular Meeting of the Allen City Council was called to order by Mayor Fulk at 7:01 p.m. on Tuesday, April 11, 2023, in the City Council Chambers of Allen City Hall, 305 Century Parkway, Allen, Texas.

2. Pledge of Allegiance

3. Public Recognition

3.1 Allen Public Library for Receipt of the 2022 Achievement of Excellence in Libraries Award.

3.2 Proclamations by the Office of the Mayor.

- Library Month
- Animal Control Officer's Week
- Great American Cleanup Day

4. Reports

4.2 Keep Allen Beautiful Board Annual Report

4.3 Animal Shelter Advisory Committee Annual Report

4.4 Library Board Annual Report

5. Citizens' Comments

- Nathan Polsky, 1108 Timberline Lane, Allen, Texas, spoke in support of Agenda Item 7.5 regarding Homestead Exemptions.
- Mike Jabary, 979 Rutgers Court, Allen, Texas, spoke regarding concerns at his property.

6. Consent Agenda

MOTION: Upon a motion made by Councilmember Clemencich and a second by Councilmember Shafer, the Council voted seven (7) for and none (0) opposed to approve the Consent Agenda as follows:

6.1 Approve minutes of the March 14, 2023, Regular City Council Meeting.

6.2 Authorize the City Manager to execute a contract with Allied Universal Solutions for labor, equipment, and installation of security and access control systems at Fire Station No. 6 for $134,380.

6.3 Authorize the City Manager to execute a contract with Intermountain Slurry Seal, Inc., for Micro-Surfacing Seal Treatment in the High Meadows, Walden Park Estates, Fountain Park, and Windridge Subdivisions for $220,915.

The motion carried.

7. Regular Agenda

7.1 Authorize the City Manager to execute a contract with C. Green Scaping, LP, for the Allen Gateway Project for $1,540,000.

MOTION: Upon a motion made by Councilmember Cornette and a second by Councilmember Meis, the Council voted seven (7) for and none (0) opposed to authorize the City Manager to execute a contract with C. Green Scaping, LP, for the Allen Gateway Project for $1,540,000. The motion carried.

7.2 Conduct a Public Hearing and adopt an Ordinance for a Specific Use Permit authorizing a "Fitness and Health Center" use on a property generally located south of Stacy Road and east of Angel Parkway. [Stacy & Angel Retail]

Mayor Fulk opened the public hearing for this agenda item and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Fulk closed the public hearing.

ORDINANCE NO. 3993-4-23: 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 RELATING TO THE USE AND DEVELOPMENT OF A 2,205± SQUARE FOOT PORTION OF A BUILDING LOCATED ON LOT 4A, BLOCK A, MCCOY AND ROTH ADDITION, PRESENTLY ZONED FOR PLANNED DEVELOPMENT "PD" NO. 61 SHOPPING CENTER "SC" BY GRANTING SPECIFIC USE PERMIT NO. 187 FOR A FITNESS AND HEALTH ESTABLISHMENT; 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.

MOTION: Upon a motion made by Councilmember Shafer and a second by Councilmember Cornette, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3993-4-23, as previously captioned, to grant Specific Use Permit No. 187 for a Fitness and Health Center. The motion carried.

7.3 Conduct a Public Hearing and adopt an Ordinance designating approximately 260.94± acres located at the southwest quadrant of US 75 and SH 121 City of Allen, Collin County, Texas, as Reinvestment Zone No. Four City of Allen, Texas (Sloan Corners Zone).

Mayor Fulk opened the public hearing for this agenda item and asked anyone wishing to speak for or against this item to do so at this time.

With no one speaking, Mayor Fulk closed the public hearing.

ORDINANCE NO. 3994-4-23: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DESIGNATING A CERTAIN AREA WITHIN THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AS CITY OF ALLEN, TEXAS REINVESTMENT ZONE NO. FOUR ("SLOAN CORNERS ZONE"); ESTABLISHING THE BOUNDARIES OF SUCH ZONE; CREATING A BOARD OF DIRECTORS FOR SAID REINVESTMENT ZONE AND OTHER MATTERS RELATED THERETO; CONTAINING FINDINGS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Councilmember Clemencich and a second by Councilmember Shafer, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3994-4-23, as previously captioned, designating Reinvestment Zone No. Four City of Allen, Texas ("Sloan Corners Zone"). The motion carried.

7.4 Approval of Tax Increment Reinvestment (TIF) Zone No. Four Economic Development and Reimbursement Agreement with Billingsley LD, Ltd., and authorize the City Manager to execute the Agreement and any amendments and instruments related thereto.

MOTION: Upon a motion made by Councilmember Cornette and a second by Councilmember Clemencich, the Council voted seven (7) for and none (0) opposed to approve the TIF zone Number Four Economic Development and Reimbursement Agreement with Billingsley, LD, Ltd., and authorize the City Manager to execute the Agreement and any amendments and instruments related thereto. The motion carried.

7.5 Adopt an Ordinance amending Chapter 2 "Administration" Article I "General" of the Code of Ordinances by renaming Section 2-7 as "Residence Homestead Exemptions" and by adding Subsection (d) to Section 2-7, adopting a residence homestead exemption and renumbering various Sections.

ORDINANCE NO. 3995-4-23: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALLEN, TEXAS, BY REDESIGNATING SECTIONS 2-7, 2-8 AND 2-9 AS SECTIONS 2-7(a), 2-7(b), AND 2-7(c), RESPECTIVELY; BY ADDING SUBSECTION (d) TO SECTION 2-7 ADOPTING A RESIDENCE HOMESTEAD EXEMPTION PURSUANT TO TAX CODE SECTION 11.13 (n); AND BY REDESIGNATING SECTION 2-10 AS SECTION 2-8; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Upon a motion made by Councilmember Shafer and a second by Mayor Pro Tem Schulmeister, the Council voted seven (7) for and none (0) opposed to adopt Ordinance No. 3995-4-23, as previously captioned, implementing a Homestead Exemption that is the greater of 5% or $5,000 of the appraised value of the residence homestead beginning in the tax year 2023, and continuing thereafter, provided such person qualifies and makes application for the exemption in accordance with the Texas Property Code. The motion carried.

8. Other Business

8.1 Calendar.

- April 24 - May 2 – Early Voting for the City of Allen General Election
- May 6 – Election Day, 7 a.m. – 7 p.m.

8.2 Items of Interest.

- Mayor Fulk shared that he attended The Turning Point's "Our Community Supports Survivors Event" held during Sexual Assault Awareness Month on April 1 and spoke regarding how this event brought people from Collin County and community organizations together to help support and empower survivors of sexual violence and their families and friends.
- Councilmember Cornette congratulated the Allen Americans Hockey Club on clinching a playoff spot for the 2022-23 season and encouraged everyone to attend Wednesday's game to see the veteran being recognized as the "Patriot of the Game."
- Councilmember Meis shared he received his new smart meter at home and that the process and application were seamless.
- Council wished Deputy City Secretary Gonzalez a very happy birthday.

9. Executive Session

9.1 Reconvene and Consider Action on Items Resulting from Executive Session.

The Executive Session was not held.

10. Adjournment

Mayor Fulk adjourned the Regular Meeting of the Allen City Council at 9:02 p.m. on Tuesday, April 11, 2023.

These minutes were approved on the 25th day of April 2023.

APPROVED:

Kenneth M. Fulk, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

CITY COUNCIL REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 25, 2023
AGENDA CAPTION:	Motion to Reappoint Jim Kerr to the North Texas Municipal Water District Board as a Representative for the City of Allen for a Two-Year Term Effective June 1, 2023 through May 31, 2025.
STAFF RESOURCE:	Eric Ellwanger, City Manager Shelley B. George, City Secretary
PREVIOUS COUNCIL ACTION:	Appointed November 15, 1998, and reappointed in 1999, 2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019, and 2021.
STRATEGIC PLANNING GOAL:	Engaged and Connected Allen Community.

BACKGROUND

Mr. James Kerr and Dr. Joe Farmer serve as the appointed NTMWD Board Members representing the City of Allen. Each member serves a two-year term and terms are staggered.

Mr. Kerr's term expires May 31, 2023. The City Council, by a majority vote, should reappoint Mr. Kerr or appoint another Director to serve a term from June 1, 2023, to May 31, 2025.

In accordance with the statute creating the District (Article 8280-141), the qualifications of a Director include the following: "No person shall be appointed a Director unless he resides in the city from which he is appointed. No member of a governing body of a city and no employee of a city shall be appointed as a Director." Under other state law, no other government official that receives compensation could be appointed.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to reappoint Jim Kerr to the North Texas Municipal Water District Board as a representative for the City of Allen for a two-year term effective June 1, 2023, through May 31, 2025.

ATTACHMENT(S)

Letter from NTMWD
Letter from Mr. Kerr

NORTH TEXAS MUNICIPAL WATER DISTRICT

Regional. Reliable. Everyday.

March 22, 2023

Mr. Eric Ellwanger, City Manager
City of Allen
305 Century Parkway
Allen, Texas 75013

RE: NTMWD BOARD MEMBER APPOINTMENT

Dear Mr. Ellwanger:

The current term of office for some of the Directors of the North Texas Municipal Water District (NTMWD) Board will end in May. Please accept this as your official notification that Mr. James Kerr's current term as an NTMWD Board Director will expire on May 31, 2023. The City Council has the option to either reappoint Mr. Kerr or appoint a new Director to serve the term from June 1, 2023, to May 31, 2025.

The NTMWD appreciates the service Mr. Kerr has provided to the District and the Region. He was appointed by the City of Allen in 1998 and has been a leader on the Board serving as President, Vice President, and Secretary. In addition to serving on the Personnel, Policy, and Real Estate Committees, Mr. Kerr also serves as the Chair of the Solid Waste Committee.

In accordance with the statute creating the District (Article 8280-141), the qualifications of a Director include the following: "No person shall be appointed a Director unless he resides in and owns taxable property in the city from which he is appointed. No member of a governing body of a city, and no employee of a city, shall be appointed as a Director." Under other state law, no other public official that receives compensation could be appointed. A list of roles and responsibilities of an NTMWD Board member is enclosed for reference.

Please notify my office in writing once the City Council has appointed a Director for the new term. Should you have any questions or need additional information, please do not hesitate to contact my office.

Sincerely,

Jennafer Covington

JENNAFER P. COVINGTON
Executive Director

JPC/sks

Enclosure

cc: Mr. Jim Kerr
Ms. Shelley George, City Secretary



NTMWD BOARD OF DIRECTORS
ROLES AND RESPONSIBILITIES

The North Texas Municipal Water District (NTMWD) Board of Directors serves as the governing body of NTMWD. The Board of Directors guides the NTMWD towards a sustainable future by adopting sound governance and financial management policies and ensuring adequate resources to meet the region's needs. The Board has a responsibility to provide guidance to management and staff and ensure operations run smoothly and in accordance with the law. Some specific responsibilities of the Board of Directors include:

- Establish and support the NTMWD mission and purpose
- Select and evaluate the Executive Director/General Manager
- Set policies and ensure effective planning
- Ensure adequate financial resources
- Monitor and strengthen essential programs and services
- Protect assets and provide proper financial oversight
- Ensure legal and ethical integrity
- Enhance the organization's public standing

The Board of Directors meet monthly, typically on the 4th Thursday of each month with adjustments made for holidays or other conflicts. Meetings are held at 2:30 p.m. in the boardroom located in the administration building of our Wylie Campus (501 E. Brown St. Wylie, Tx. 75098).

Directors serve on at least one Operations committee and one Administrative committee.

Administrative committees are typically held on the 2nd Wednesday of the month beginning at 1:00 p.m. These committees are:

- Executive
- Finance
- Legislative
- Personnel
- Policy

Operations committees are typically held the 4th Wednesday of the month beginning at 1:00 p.m. as well. These committees are:

- Real Estate
- Solid Waste
- Wastewater
- Water

The District currently utilizes a mixed approach structure (In person/Videoconference) to our meetings based on the meeting type:

- Board Meetings – director attendance *in person* except for mobility and health limitations.
- Committee Meetings – only Committee Chair or Board President is present at the NTMWD office, with the remaining committee members and other Board members attending via *videoconference*.

The Board of Directors also meet in Special Work Sessions for long-term planning as well as on an as-needed basis for other purposes.

Each director serves a two-year term, and the appointments are staggered so that each year, one of the two directors is up for reappointment or replacement.

Each director will receive a fee of $150 for each day the director spends performing the duties of a director, including participating in board and committee meetings, other activities involving substantive deliberation of District business, and pertinent educational programs, but not more than $7200 will be paid to any director in one calendar year.

Over the course of 2022, there were 104 different meetings or events where members of our Board of Directors participated. A majority of these consisted of board meetings, committee meetings and work sessions. Additionally, many directors represented NTMWD at City Council or Civic functions, meetings with legislators, open houses, and Board enrichment activities.

James D. Kerr
[redacted]

4/05/2023

Mr. Eric Ellwanger, City manager
City of Allen
Allen Civic Plaza
305 Century Parkway
Allen, Texas 75013
RE: NTMWD Board Reappointment

Dear Mr. Ellwanger,

This letter is to inform you, the Mayor, and the City Council Members that I do want to be reappointed as a Director to the North Texas Municipal Water District.

As you know, Bois D'Arc Lake is complete, the water treatment plant and pipe lines are complete and we are starting to deliver water.

As hard as it is believe, our next major effort is to develop even more water that will be needed by 2035.

Should you or the Council ever need a more comprehensive report on the activities of the District please contact me. If I don't know the answer, I know who to call to get the answer.

Sincerely
James D Kerr
James D. Kerr

CITY COUNCIL REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 25, 2023
AGENDA CAPTION:	Set August 22, 24, and 25, 2023, as the Dates for the City Council Budget Workshop with City Council and Executive Staff.
STAFF RESOURCE:	Shelley B. George, City Secretary
STRATEGIC PLANNING GOAL:	Financially Sound and Transparent City Government.

BACKGROUND

Through the annual Budget Workshop, City Council reviews the proposed budget for the upcoming Fiscal Year. This process allows staff to present projects for funding that support the City of Allen's Strategic Plan. The Workshop will be held with the City of Allen.

The Budget Workshop will be held on the following dates and times:

- Tuesday, August 22 - the City Council Regular Meeting will be held at 6:00 p.m. with the Budget Workshop beginning at 6:30 p.m. or immediately following the conclusion of the Regular Meeting.
- Thursday, August 24 - the Budget Workshop will begin at 6:00 p.m.
- Friday, August 25 - the Budget Workshop will begin at 8:30 a.m.

STAFF RECOMMENDATION

Staff recommends August 23, 24 and 25, 2023, as the dates for the City Council Budget Workshop with City Council and Executive Staff.

MOTION

I make a motion to set August 22, 24, and 25, 2023, as the dates for the City Council Budget Workshop with City Council and Executive Staff.

CITY COUNCIL REGULAR MEETING AGENDA COMMUNICATION

AGENDA DATE:	April 25, 2023
AGENDA CAPTION:	Conduct a Public Hearing and adopt an Ordinance to change the zoning of Lot 1, Block 1, Jones Addition from Single-Family Residential R-2 to Single-Family Residential R-6 for a property generally located north of Prestige Circle and east of Greenville Avenue. [Windchase Ranch Addition]
STAFF RESOURCE:	Hayley Angel, Planning Manager
BOARD/COMMISSION ACTION:	On April 4, 2023, the Planning and Zoning Commission voted 5 in favor and 1 (Commissioner Wright) opposed to recommend approval of the request.
STRATEGIC PLANNING GOAL:	Safe and Livable Community for All.

BACKGROUND

The subject property is located north of Prestige Circle and directly east of Greenville Avenue. The zoning designations of the surrounding properties are as follows:

- North: Single-Family Residential R-2
- East and South: Community Facilities
- West (across Greenville Avenue): Single-Family Residential R-3

The subject property is approximately 9.07 acres and is currently zoned Single-Family Residential R-2. The applicant is requesting to rezone the property to Single-Family Residential R-6. The Single-Family Residential R-6 zoning district would require a minimum lot area of 6,000 square feet and a minimum lot width of 55 feet; and permit a maximum lot coverage of 55% and a maximum density of 5.2 dwelling units per acre.

To evaluate this request, staff reviewed the Future Land Use Map and the surrounding properties. The Future Land Use Map, adopted as part of the Comprehensive Plan, designates this area as Suburban Residential. Suburban Residential focuses on single-family detached land uses at a density of one to five units per acre. Recommended zoning districts include the majority of single-family zoning districts, including Single-Family Residential R-6. The zoning districts of the surrounding properties include Community Facilities and residential zoning districts ranging from Single-Family Residential R-2 to Townhomes. Staff has determined that the request is compatible with both the Future Land Use Map and the surrounding properties.

A change from R-2 zoning to R-6 will change the maximum potential dwelling units on the site from approximately 18 units at R-2 to approximately 52 at R-6.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to adopt Ordinance No. _____ to rezone Lot 1, Block 1, Jones Addition to Single-Family Residential R-6.

ATTACHMENT(S)

Ordinance
Notification Map
Minutes of the April 4, 2023 Planning and Zoning Commission Meeting

ORDINANCE 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 PREVIOUSLY AMENDED, CHANGING THE ZONING REGULATIONS APPLICABLE TO THE USE AND DEVELOPMENT OF LOT 1, BLOCK 1, JONES ADDITION FROM SINGLE-FAMILY RESIDENTIAL "R-2" TO SINGLE-FAMILY RESIDENTIAL "R-6"; 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 changing the zoning regulations applicable to the use and development of Lot 1, Block 1, Jones Addition, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Volume E, Page 108, Map Records, Collin County, Texas ("the Property") as depicted in Exhibit "A," attached hereto and incorporated herein by reference, from Single-Family Residential "R-2" to Single-Family Residential "R-6."

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 THE 25th DAY OF APRIL 2023.

APPROVED:

Kenneth M. Fulk, MAYOR

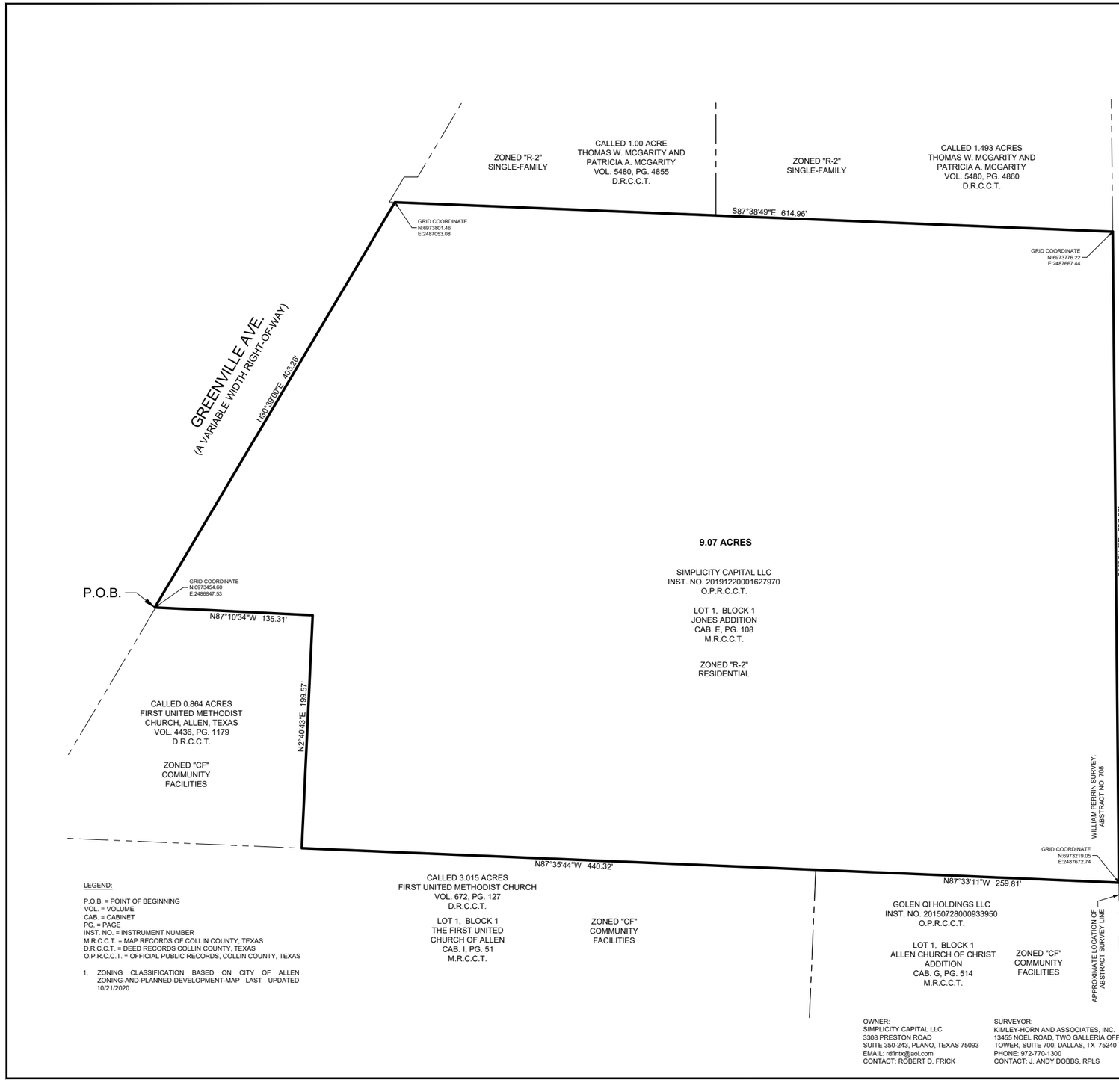
APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:3/20/2023:134123)

ATTEST:

Shelley B. George, TRMC, City Secretary

EXHIBIT "A"
ZONING EXHIBIT



LEGEND:

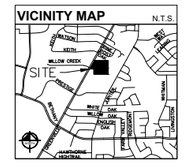
P.O.B. = POINT OF BEGINNING
VOL. = VOLUME
CAB. = CABINET
PG. = PAGE
INST. NO. = INSTRUMENT NUMBER
M.R.C.C.T. = MAP RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T. = DEED RECORDS COLLIN COUNTY, TEXAS
O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS

1. ZONING CLASSIFICATION BASED ON CITY OF ALLEN ZONING-AND-PLANNED-DEVELOPMENT-MAP LAST UPDATED 10/21/2020

NORTH

GRAPHIC SCALE IN FEET
40 0 20 40 80
1" = 40' @ 24X36

VICINITY MAP N.T.S.



Zoning Description

BEING a tract of land situated in the William Perrin Survey, Abstract No.708, City of Allen, Collin County, Texas and being all of a tract of land described in General Warranty Deed to SIMPLICITY CAPITAL LLC recorded in Instrument No. 20191220001627970, Official Public Records of Collin County, Texas and being all of Lot 1, Block 1 of Jones Addition, an addition to the City of Allen according to the plat recorded in Cabinet E, Page 108, Map Records of Collin County, Texas and being more particularly described as follows:

BEGINNING at a point in the east right-of-way line of Greenville Avenue and the west corner of said Lot 1;

THENCE with said east right-of-way line, North 30°39'00" East, a distance of 403.26 feet to a point for corner in the south line of a called 1.00 acre tract of land described in Warranty Deed to Thomas W. McGarity and Patricia A. McGarity recorded in Volume 5480, Page 4855, Deed Records of Collin county, Texas;

THENCE with said south line, South 87°38'49" East, passing at a distance of 274.96 feet the southeast corner of said 1.00 acre tract and continuing with the south line of a called 1.493 acre tract of land described in Warranty Deed to Thomas W. McGarity and Patricia A. McGarity recorded in Volume 5480, Page 4860, of said Deed Records in all a distance of 614.96 feet to a point for the northwest corner of said Lot 1;

THENCE with the east line of said Lot 1, South 0°32'44" East, a distance of 557.28 feet to a point for corner in the north line of Lot 1, Block 1 , Allen Church of Christ Addition, an addition to the City of Allen according to the plat recorded in Cabinet G, Page 514, of said Map Records;

THENCE with said north line, North 87°33'11" West, a distance of 259.81 feet to a point for the northwest corner of said Lot 1 and being the northeast corner of Lot 1, Block 1, The First United Church of Allen, an addition to the City of Allen according to the plat recorded in Cabinet I, Page 51, of said Map Records;

THENCE with north line of said Lot 1, North 87°35'44" West, a distance of 440.32 feet to a point for the southeast corner of a called 0.864 acre tract of land described in Warranty Deed with Vendor's Lien to FIRST UNITED METHODIST CHURCH, ALLEN, TEXAS recorded in Volume 4436, Page 1179, of said Deed Records;

THENCE with the east and north line of said 0.864 acre tract, the following courses and distances:

North 2°40'43" East, a distance of 199.57 feet to a point for corner;
North 87°10'34" West, a distance of 135.31 feet to the **POINT OF BEGINNING** and containing 9.07 acres of land.

The bearings for this survey are based on a bearing of N87°35'44" W for the South line of Jones Addition, an addition to the City of Allen according to the plat recorded in Cabinet E, Page 108, Map Records of Collin County, Texas.

This document was prepared under 22 TAC §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
13455 NOEL ROAD
TWO GALLERIA OFFICE TOWER
SUITE 700
DALLAS, TEXAS 75240
PH. (972) 770-1300
ANDY.DOBBS@KIMLEY-HORN.COM

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

ZONING EXHIBIT
9.07 ACRES
LOT 1, BLOCK 1
JONES ADDITION
WILLIAM PERRIN SURVEY, ABSTRACT NO. 708
CITY OF ALLEN, COLLIN COUNTY, TEXAS
SUBMISSION DATE: 7/26/2021

OWNER:
SIMPLICITY CAPITAL LLC
3308 PRESTON ROAD
SUITE 350-243, PLANO, TEXAS 75093
EMAIL: rdfintx@aol.com
CONTACT: ROBERT D. FRICK

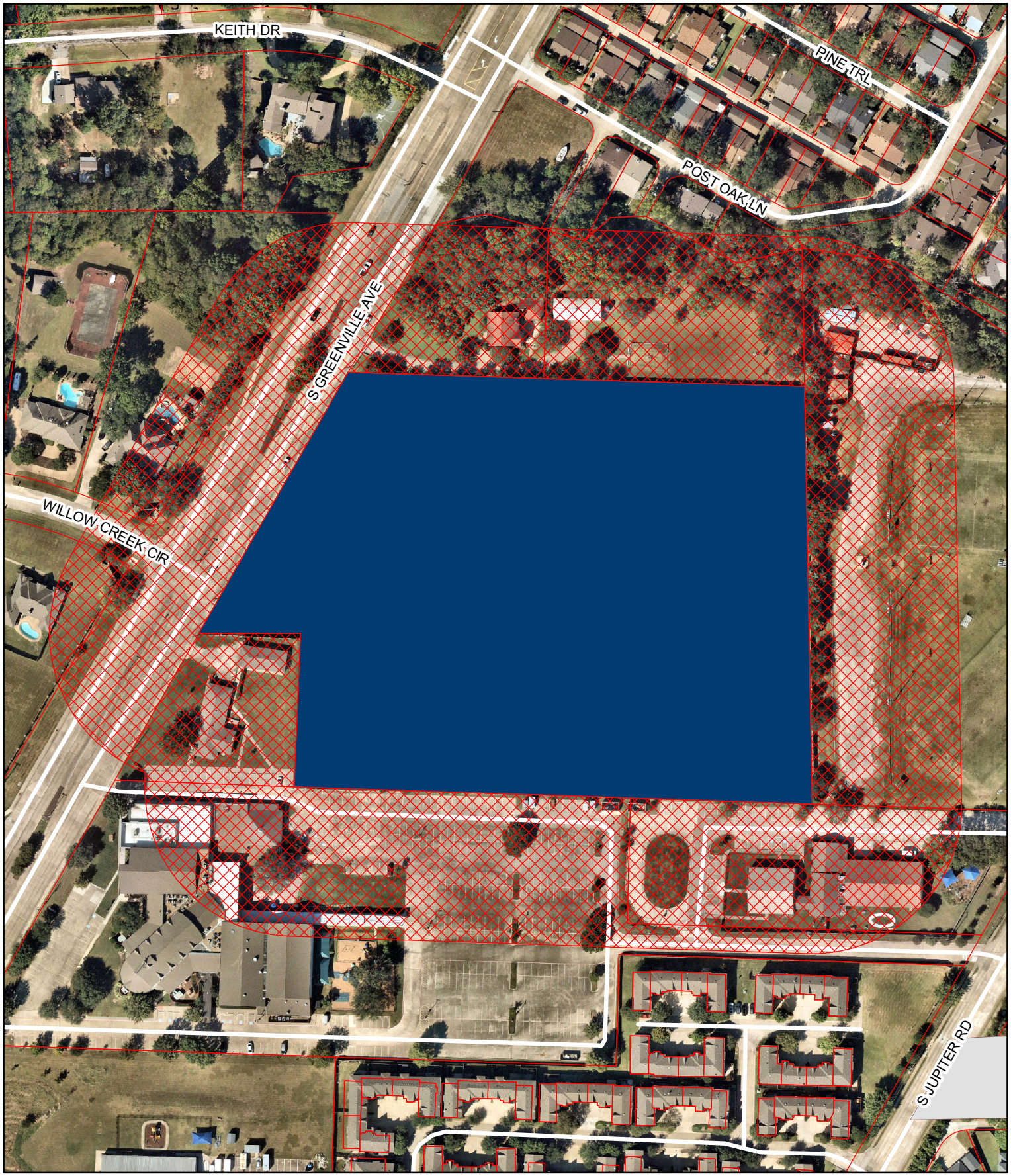
SURVEYOR:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE
TOWER, SUITE 700, DALLAS, TX 75240
PHONE: 972-770-1300
CONTACT: J. ANDY DOBBS, RPLS

ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOEL ROAD, TWO GALLERIA OFFICE
TOWER, SUITE 700, DALLAS, TX 75240
PHONE: 972-770-1370
CONTACT: JONATHAN KERBY, PE

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240
Tel. No. (972) 770-1300
FIRM # 10115500
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 40'	MGB	JAD	APRIL 2022	064230028	1 OF 1

DWG NAME: K:\DAL_CIVIL\064230028 - 9015 GREENVILLE\CAD\EXHIBITS\ZONING EXHIBIT\064230028 - 105 S GREENVILLE ALLEN_ZONING EXHIBIT.DWG PLOTTED BY:HARTMAN, LOUISE 4/6/2022 2:46 PM LAST SAVED 4/6/2022 2:44 PM



CITY OF ALLEN

Public Notification Map

WINDCHASE RANCH ADDITION
505 S. Greenville Avenue

200' Buffer
Subject Parcel
Collin CAD Parcels

100 50 0 100
Feet

N
W E
S

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

April 4, 2023 Planning and Zoning Commission Meeting Minutes

Chair Metevier filed an Affidavit of Conflict of Interest with Agenda Item No. 4.1 and left the dais.

> Conduct a Public Hearing and consider a request to change the base zoning of Lot 1, Block 1, Jones Addition from Single-Family Residential R-2 to Single-Family Residential R-6 said property being generally located north of Prestige Circle and directly east of Greenville Avenue and commonly known as 505 S. Greenville Avenue. (ZN-022323- 0004) [Windchase Ranch Addition]

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

The applicant, Preston Whisenant, 8117 Preston Road, Dallas, TX, spoke on the item.

1st Vice-Chair Smiddy opened the public hearing.

The following individuals registered their opposition but did not wish to speak on the item:

- Nadya Brown, 201 Willow Creek Circle, Allen, TX
- Carmen Baldwin, 302 Willow Creek Circle, Allen, TX
- Terri Richey, 217 Willow Creek Circle, Allen, TX
- Klaus Katz, 300 Willow Creek Circle, Allen, TX
- Allison Katz, 300 Willow Creek Circle, Allen, TX
- David Baldwin, 302 Willow Creek, Circle, Allen, TX

The following individuals registered their opposition and spoke on the item:

- Jack Brothers, 501 Stretford Lane, Allen, TX
- Vince Richey, 217 Willow Creek Circle, Allen, TX
- Tim McGarity, 501 S Greenville Avenue, Allen, TX
- Marla Thompson, 401 Willow Creek Circle, Allen, TX
- Richard Brown Jr., 201 Willow Creek Circle, Allen, TX

1st Vice-Chair Smiddy closed the public hearing.

The Commission discussed the following:

- General Development Plans and development process;
- Planned Developments;
- Requirements of the R-6 zoning district;
- Alleys; and
- Maximum building height.

Motion: Upon a motion by Commissioner Stocker and a second by 2nd Vice-Chair Cook,

the Commission voted 5 IN FAVOR and 1 OPPOSED by Commissioner Wright to recommend approval of an ordinance to change the base zoning district to Single-Family Residential R-6, as presented. The motion carried.

ATTENDANCE:

Commissioners Present:
Dan Metevier, Chair
Michael Smiddy, 1st Vice-Chair
Kenneth Cook, 2nd Vice-Chair
Sandeep Kathuria
Elias Shaikh
Gary Stocker
Jason Wright