



**NOTICE OF CITY OF PRINCETON
PLANNING AND ZONING COMMISSION SPECIAL MEETING
AND AGENDA
FEBRUARY 23, 2015**

Meeting Time and Place

The Planning and Zoning Commission for The City of Princeton will meet in Special Session on Monday, FEBRUARY 23, 2015 at 6:00 PM at the Council Chamber in City Hall located at 123 W. Princeton Drive in Princeton to discuss the following:

**Joseph Cruz, Place 1
Commission Member**

**Noah Peters, Place 2
Commission Member**

**Carlos Cuellar, Place 3
Chairperson**

**Larry Thompson, Place 4
Commission Member**

**Nathan Council, Place 5
Commission Member**

-
- A. CALL TO ORDER (PLEASE TURN OFF ALL CELL PHONES)**
 - B. PLEDGE OF ALLEGIANCE**
 - C. COMMISSIONERS ROLL CALL**

PRESENT

Joseph Cruz	_____
Noah Peters	_____
Carlos Cuellar	_____
Larry Thompson	_____
Nathan Council	_____

D. CITIZENS APPEARANCE

Citizens are allowed 3 minutes to speak. The Planning & Zoning Commission is unable to respond to or discuss any issues that are brought up during this section that are not on the agenda, other than to make statement of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

E. CONSENT AGENDA

Consent Agenda: All consent agenda items listed are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner so request, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 1) Possible approval of the Princeton Planning & Zoning Regular Meeting Minutes of January 20, 2015.

F. PUBLIC HEARING

SUP20141182 – Special Use Permit Request - Discussion and possible action and recommendation to the City Council regarding a request from Jesus Mondragon of M.G. Appliances, regarding a Specific Use Permit for M.G. Appliances per the requirements of the City of Princeton Zoning Ordinance (Ordinance No. 2009-06-09) for the following tract of land described in the Hardin Wright Survey, Abstract No. 957 and being 0.466 acres of land more or less and more particularly described as follows: 815 W. Princeton Drive, Princeton, Texas.

G. REGULAR AGENDA

- 1) Next Meeting: Tuesday March 2, 2015
- 2) Consider a request for items to be placed on a future agenda and NOT for discussion of these requests at this time:

H. ADJOURNMENT

The Commission reserves the right to retire into executive session concerning any of the items listed on this agenda whenever it is considered necessary and legally justified under the Open Meeting Act.

CERTIFICATE

I hereby certify the above Notice of Meeting was posted at the Princeton City Hall

February 20, 2015 at 9:30 am.

Amber Anderson
Amber Anderson, Planning Technician

STATEMENT FOR ADA COMPLIANCE

The City of Princeton acknowledges its responsibility to comply with Americans with Disabilities Act of 1990. Thus, in order to assist individuals with disabilities who require special services (i.e., sign interpretation services, alternative audio/visual devices, and amanuenses) for participation in or access to the City of Princeton sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact Lesia Thornhill, City Secretary or other designated official at 972-736-2416.

Minutes

The City of Princeton

Planning and Zoning Commission Special Meeting of January 20, 2015.

The Planning and Zoning Commission of the City of Princeton, Texas, met in special session in the Council Chamber of City Hall on January 20, 2015 at 6:30 p.m.

The following P&Z Commissioners were present: Chairperson Carlos Cuellar, Commission Member Noah Peters and Commission Member Nathan Council. The following Staff Members were present: Building Official Shawn Fort, City Manager Derek Borg, Deputy City Secretary/PIO Tabatha Monk, Chief of Police James Waters.

Chairperson **Cuellar called the P&Z Meeting to order at 6:38 PM.**

Chairperson **Cuellar** then led the audience in the **Pledge of Allegiance.**

Chairperson **Cuellar** called roll, present were **Carlos Cuellar, Noah Peters and Nathan Council.**

Chairperson **Cuellar** then announced **Citizen Appearance.** None

Chairperson **Cuellar** then announced the Consent Agenda: All consent agenda items listed are considered to be routine by the Planning and Zoning Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commission Member so request, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Commission Member **Council made a motion to approve the Consent Agenda with one amendment to the minutes.** Commission Member **Peters seconded the motion.** The motion carried **unanimously.**

Chairperson **Cuellar** then announced there were no items under **Public Hearing.**

Chairperson **Cuellar** then announced the first item under the Regular Agenda:

Discussion regarding FP20141163-Final Plat Request-Discussion and possible action and recommendation of the City Council regarding a request received from D.R. Horton-Texas, Ltd., for approval of the Final Plat of Abbey Crossing at Forest Grove Phase 1A, A 6.324 acre tract of land located in the David Cherry Survey, Abstract NO. 166, City of Princeton, Collin County, Texas and being part of a tract of land described in deed to DR Horton-Texas, Ltd, according to deed recorded in document number 201-0207000120670. ". Member **Council made a motion to accept the Final plat and recommend approval to the City Council.** Chairperson **Peters seconded the motion.** The **motion carried unanimously.**

Chairperson **Cuellar** then announced the second item under the Regular Agenda: "Next Regular Meeting: February 17, 2015". No one opposed to this meeting date.

Chairperson **Cuellar** then announced the third item under the Regular Agenda:

Consider a request for items to be placed on a future agenda and NOT for discussion of these request at this time.

Chairperson **Cuellar** then called for adjournment.

Commission Member **Peters made a motion to adjourn.** Commission Member **Council Seconded the motion.** The **motion carried unanimously.**

Chairperson **Cuellar** adjourned the meeting at 6:50 p.m.



CITY OF PRINCETON
 City Hall
 123 W. Princeton Dr.
 Princeton TX, 75407

PLANNING & ZONING COMMISSION MEETING
February 23, 2015, 6:00 p.m.
Public Hearing

SUP20141182 – Special Use Permit – 815 W. Princeton Dr., A 0.466 acre tract of land out of the Hardin Wright Survey, Abstract No., 957 – Jesus Mondragon, Applicant

STAFF REPORT

I. SITE DATA

SITE DATA

Existing Zoning: C-1 Commercial District
 Existing use: Vacant Land
 Lot Size: .46 acres

Direction	Zoning	Existing Land Use
North	C-1	Commercial District
East	C-1	Non-Conforming Use
South	C-2	Vacant Land
West	C-1	Non-Conforming Use



REQUEST

Applicant requests Commission approve request for a special use permit to allow for the operation of a Second Hand/ Scratch and Dent Store in the C-1 district which requires special use permit approval.

II. PROCESS

The process for granting approval of a special use permit are as follows:

- As permitted under the provisions of the City of Princeton Ordinances, a property owner may petition the City for a Specific Use of Property, as authorized by the zoning district in which the property is located. Such petition shall be considered by the Planning and Zoning Commission. After proper notice and a public hearing, the Planning and Zoning Commission shall make a recommendation to the City Council regarding any application for a Specific Use Permit. The Planning and Zoning Commission may require information, operating data, and expert evaluation concerning the location and function and characteristics of any building or use proposed.
- After proper notice and a public hearing, the City Council may grant a permit for a Specific Use of Property as authorized by the zoning district in which the property is situated. The City Council may require information, operating data, and expert evaluation concerning the location and function and characteristics of any building or use proposed.
- In recommending that a Specific Use Permit for the premises under consideration be granted, the Planning and Zoning Commission shall determine that such use or uses are harmonious and adaptable to building structures and uses of adjacent property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.
- The City Council shall authorize issuance of a Specific Use Permit only after determining that the proposed use or uses are harmonious and adaptable to building structures and uses of adjacent property and other property in the vicinity of the premises under consideration.
- The City Council shall authorize issuance of a Specific Use Permit only after determining that adequate provisions have been made for the paving of streets, alleys, and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.
- No Specific Use Permit shall be granted unless the applicant, owner, and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the permit, as attached to the site plan drawing (or drawings) and approved by the City Council. No public hearing is necessary for site plan approval.
- Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations imposed by any governmental authority through legislation, rule, or regulation, the regulations, rules or restriction which are more restrictive or impose higher standards or requirements shall govern. Regardless of any other provision of this

ordinance, no land shall be used and no structure erected or maintained in violation of any State or Federal pollution control or environmental protection law or regulation.

- When the City Council authorizes granting of the Specific Use Permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses.

Commission Action

The Commission has the following options:

1. Recommend Approval to City Council SUP20141182 with conditions
2. Require modifications to SUP20141182 and have it returned for Commission review at the next meeting.
3. Recommend Denial the request of SUP20141182 with reasons stated in the motion.

If the Commission approves this application, staff recommends that the following conditions of approval be imposed:

1. Applicant shall obtain all necessary construction permits prior to any construction.
2. Applicant shall submit for review detailed construction plans in compliance with all City ordinances including 80% masonry and plans shall signed and sealed by registered design professionals.
3. Applicant must commence construction within 12 months of approval and complete construction within 36 months of approval or the approval will lapse and a new application must be submitted.
4. Applicant must apply for certificate of occupancy and have the facility inspected by the Fire Marshall & Building Official prior to occupancy.
5. Applicant shall make no substantial changes in plans without City approval.
6. If the conditions set by the Planning Commission are violated, the special use permit will become void.

III. REVIEW HISTORY			
Body:	Petition:	Action:	Date:
Planning & Zoning Commission	Special Use Permit	Hearing Before the Commission	February 23, 2015
City Council	Special Use Permit	Hearing Before the Council	February 23, 2015

IV. STAFF RECOMMENDATION

Recommend approval of SUP20141182 to the City Council proposed use appears to be consistent with surrounding uses, state reasons for approval or denial in motion.

A handwritten signature in black ink, appearing to read 'S. Fort', with a long horizontal stroke extending to the right.

Shawn Fort, Chief Building Official



SPECIFIC USE PERMIT APPLICATION

Office Use Only: ~~20141182~~ ~~12/30/2014~~
 20141182
 Date Received: 12/30/2014
 ZC. #: _____
 Planning & Zoning Date: 2-16-2015
 City Council Date: _____

DATE OF PRE-APPLICATION CONFERENCE (required): 12/30/2014

Name of Project: M.G. APPLIANCES
Type of Use: Second hand store

Application Type
 Specific Use Permit

Application Fee*
\$ 325.00

Physical Location of Property: 815 WEST PRINCETON DRIVE
[Address and General Location -- approximate distance to nearest existing street corner]

Brief Legal Description of Property (must also attach accurate metes and bounds description):
20.280 FEET OR 0.466
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Acreage: _____

OWNER'S NAME: JESUS MONDRAGON Phone Number: 972 832 6936
Applicant/Contact Person: _____ Title: _____
Company Name: M.G. APPLIANCES
Street/Mailing Address: 3386 FM 3764 City: PRINCETON State: TX Zip: 75407
Phone: (972) 832 6936 Fax: () Email Address: _____

DETAILED TYPE OF SPECIFIC USE PERMIT REQUESTED:

SALE APPLIANCES AND NEW
SCRATCH DENY / Second hand store



****READ BEFORE SIGNING BELOW:**

By signing this application, staff is granted access to your property to perform work related to your case.

I waive the statutory time limits in accordance
With Section 212 of the Texas Local Government Code.

SIGNATURE: JESUS MONDRAGON
(Letter of authorization required if signature is other than property owner)

Print or Type Name: JESUS M
Known to me to be the person whose name is subscribed to the above and foregoing instrument, and
Acknowledged to me that they executed the same for the purposes and consideration expressed and in the
Capacity therein stated. Given under my hand and seal of office on this 30th day of December 2014



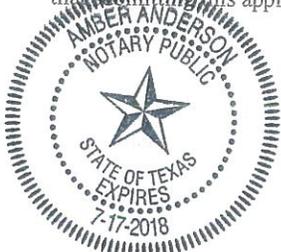
SUBSCRIBED AND SWORN TO before me, this the 30th day of December, 2014
Notary Public in and for the State of Texas: Amber Anderson

****READ BEFORE SIGNING BELOW:**

If there should be more than one property owner complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner a "Power of Attorney" with original, notarized signatures are required. (Notaries are available upon submittal)

STATE OF TEXAS)
COUNTY OF COLLIN)

BEFORE ME, a Notary Public, on this day personally appeared JESUS MONDRAGON the undersigned applicant, who, under oath, stated the following: "I hereby certify that I am the owner, or duly authorized agent of the owner, (proof attached) for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."



JESUS MONDRAGON

****Owner / Agent (circle one)**

SUBSCRIBED AND SWORN TO before me, this the 30th day of December, 2014
Notary Public in and for the State of Texas: Amber Anderson

Applicant Initial Below	Submittal Check List	City Use Initial Below
	Application: Signed & Notarized Application with Original Signatures of all property owners and applicant	AA
	Written Verification such as: Notarized statement or "Power of Attorney" from real property owner authorizing an agent to act on his/her behalf.	
	Proof of Ownership (e.g. General warranty deed; Special warranty deed; Title policy; or document approved by the City Planner)	AA
	Required Exhibits	
	Legal Description	AA
	Boundary/Property Survey	AA

**CITY OF PRINCETON
SPECIFIC USE PERMIT CHECK LIST**

**PROVIDE COMPLETED CHECK LIST SIGNED BY PREPARER WITH
SUBMITTAL**

- Application: Signed and Notarized Application
- Written Verification: Authorizing an agent or property owner to apply for permit
- Proof of Property Ownership
- Legal description (metes and bounds) of the area within the zoning request. The legal description shall extend to the centerline of adjacent thoroughfares and creeks. The applicant will submit a hard copy (8 1/2" x 11") of the legal description, titled as "Exhibit A: for Z# __", sealed by a surveyor and a computer disk containing the legal description formatted for Microsoft Word.
- The application for a Specific Use Permit (SUP) shall be accompanied by a site plan drawn to scale and showing the general arrangements of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials and location of building; the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; visual screening such as walls, landscaping, and fences; and the relationship of the intended use to all existing properties and land uses in all directions to minimum distance of two hundred (200) feet.
- List type of use (business), hours of business, maximum occupants, etc.

Preparer's Signature Amber Anderson Date 12/30/2014
Title permit planning tech Phone _____ Fax _____
Email aanderson@princeton.tx.us

GF# FNT 1912501803



AFTER RECORDING, RETURN TO:

Jesus Mondragon
3386 FM 3364
Princeton, Texas 75407

“NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER’S LICENSE NUMBER.”

SPECIAL WARRANTY DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **JOE KENNETH THOMPSON and TANYA ALICE SMITH**, not joined herein by our spouses for the reason that the property herein conveyed is our separate property and constitutes no part of our homesteads, (hereinafter referred to as “Grantor”), whether one or more, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash in hand to Grantor paid by **JESUS MONDRAGON** (hereinafter referred to as “Grantee”), whose mailing address is 3386 FM 3364, Princeton, Texas 75407, the receipt of which is hereby acknowledged, and other good and valuable consideration, the receipt and sufficiency of which is hereby also acknowledged, and for the further consideration that the Grantee herein has executed and delivered to Grantor one certain promissory note of even date herewith in the principal sum of **TWENTY THOUSAND AND NO/100 DOLLARS (\$20,000.00)**, which said note bears interest and is due and payable as therein provided, and a vendor’s lien is hereby retained by Grantor

against the hereinafter described premises for the security and until the full and final payment of said note, and is additionally secured by a deed of trust of even date herewith to GRADY R. THOMPSON, Trustee, HAVE GRANTED, SOLD AND CONVEYED and do by these presents GRANT, SELL AND CONVEY unto the said Grantee all the following described real property (“Property”), to-wit:

SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, Grantee’s heirs, executors, administrators, successors and assigns forever.

And Grantor does hereby bind Grantor, Grantor’s heirs, executors, administrators, successors and assigns, to warrant and forever defend all and singular the said premises unto the said Grantee, Grantee’s heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same of any part thereof, by, through or under Grantor, but not otherwise.

Current ad valorem taxes on said Property have been prorated and the payment thereof is assumed by the Grantee.

EXECUTED on the dates of the acknowledgments set out below, to be effective, however, on **October 30, 2013**.

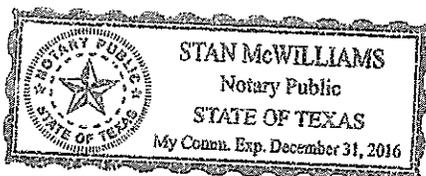
Joe K Thompson
JOE KENNETH THOMPSON
Tanya Alice Smith
TANYA ALICE SMITH

Agreed and Accepted by Grantee:

JESUS MONDRAGON
JESUS MONDRAGON

STATE OF TEXAS
COUNTY OF COLLIN

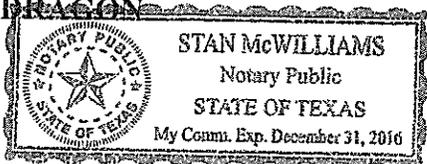
This instrument was acknowledged before me on October 30th, 2013, by **JOE KENNETH THOMPSON and TANYA ALICE SMITH.**



Stan McWilliams
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF COLLIN

This instrument was acknowledged before me on October 30th, 2013, by **JESUS MONDRAGON**



Stan McWilliams
Notary Public, State of Texas

PREPARED IN THE LAW OFFICES OF:
McWILLIAMS & THOMPSON
2713 Virginia Parkway, Suite 100
McKinney, Texas 75071

DEED

S:\BEV\THOMPSON & SMITH TO MONDRAGON-SELLER FI-0.466 AC-COLLIN-1912501803.DOC

EXHIBIT "A"

SITUATED in Collin County, Texas, in the Hardin Wright Survey, Abstract No. 957, being out of the South portion of 35.2 acres described in a deed from C. T. Lewis et ux to A. L. Tallant dated August 14, 1927, recorded in Volume 268, Page 397, Collin County Deed Records;

BEGINNING at a point in the South boundary line of the right of way of U.S. 380 (West Princeton Drive) at the Southeast corner of a 0.0365 acre tract described in deed from Dillon Thompson and wife, to State of Texas, dated May 21, 1993, recorded under Clerk's File No. 93-0052342 of the Real Property Records, Collin County, Texas from which a TXDOT Highway monument bears South 67°15'44" East, 3.58 feet:

THENCE South 00°16'49" East (South 00°30' East, deed) for a distance of 166.02 feet with the West line of a called 0.27 acres conveyed to D.L. Caldwell in General Warranty Deed recorded in Clerk's File No. 20060512000647090, Real Property Records of Collin County, Texas, to a 1/2-inch steel rod found at its Southwest corner of said 0.27 acre tract and in the North line of a tract of land conveyed to Princeton 55, LTD in Special Warranty Deed recorded in Clerk's File No, 20010219000228440, Real Property Records of Collin County, Texas:

THENCE South 88°44'09" West (South 88°30' West, deed) with the said North line for a distance of 106.52 (107.11, deed) feet to a 1/2-inch steel rod found at the Southeast corner of a called 0.5 acre tract of land conveyed to Sanner Properties, LLC in Special Warranty Deed recorded in Clerk's File No. 20120130000106150, Real Property Records of Collin County, Texas:

THENCE North 00°30'30" West (North 00°34' West, deed) with the East line of the said Sanner tract for a distance of 213.46 feet to a 5/8-inch steel rod in the South edge of the right of way of U.S. Highway No. 380 (State Highway 24), being the Southwest corner of the aforesaid State of Texas tract;

THENCE South 67°15'44" East (South 66°50' East, deed) with the South line of said State of Texas tract and South right-of-way of U.S. Highway 380 for a distance of 116.65 feet with said right of way edge to the Place of Beginning;

CONTAINING 20,280 square feet or 0.466 acres of land, more or less.

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
10/31/2013 10:53:12 AM
\$28.00 DFOSTER
20131031001485010



A handwritten signature in cursive script, appearing to read "Stacey Kemp".

PUBLIC HEARING NOTICE

A request has been received from Jesus Mondragon of M.G. Appliances, regarding a Specific Use Permit for M.G. Appliances per the requirements of the City of Princeton Zoning Ordinance (Ordinance No. 2009-06-09) for the following tract of land described in the Hardin Wright Survey, Abstract No. 957 and being 0.466 acres of land more or less and more particularly described as follows: 815 W. Princeton Drive, Princeton, Texas.

PUBLIC HEARING WILL BE HELD IN THE COUNCIL CHAMBER OF CITY HALL LOCATED AT 123 W. PRINCETON DRIVE, PRINCETON, TEXAS:

The Princeton Planning & Zoning Commission will hold the First Public Hearing regarding this request on February 23, 2015 at 6:00 pm.

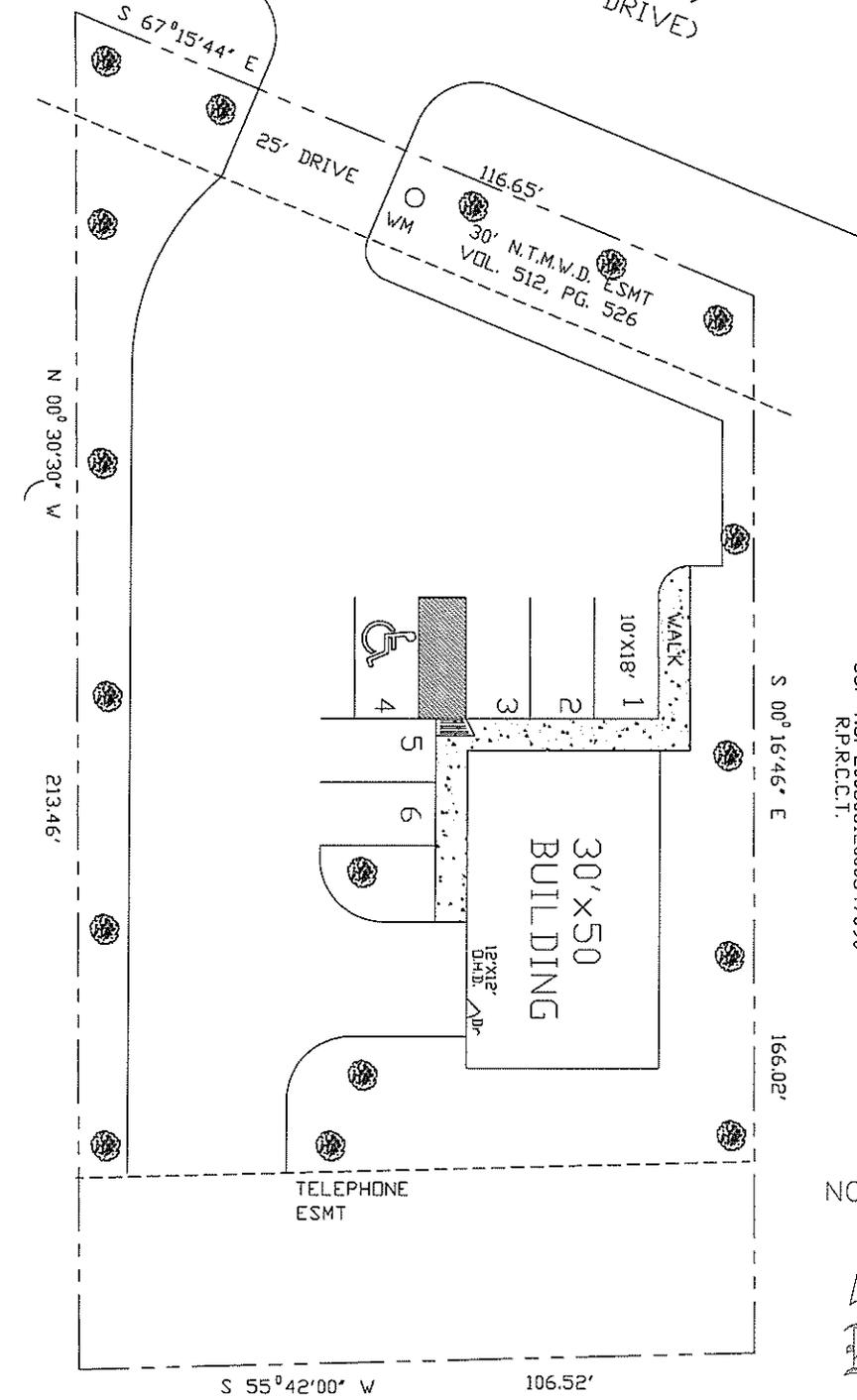
The Princeton City Council will hold a Second Public Hearing regarding this request on February 23, 2015 at 7:00 pm.

AS AN INTERESTED PROPERTY OWNER YOU ARE REQUESTED TO MAKE YOUR VIEWS KNOWN BY ATTENDING THESE HEARINGS.

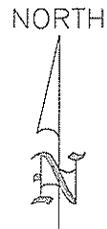
If you have any questions or need additional information please contact the City of Princeton at (972) 736-2416.

Lesia Thornhill
City Secretary

US HIGHWAY 380
 (STATE HIGHWAY No. 24)
 (WEST PRINCETON DRIVE)



NORMAN BARCH
 & RYAN EDMONDS
 TD
 DL. CALDWELL
 MAY 11, 2006
 CCF No. 20060512000647090
 R.P.R.C.T.



<p>SD1</p>	<p>CCD</p>	<p>Chapman's CAD Designs</p>		<p>MG APPLIANCES</p>																																													
		<p>1601 Waddill ST., Suite 103-E McKinney, TX, 75069 (972) 542-1187 OFC (972) 886-8799 FAX</p>		<p>WEST PRINCETON DRIVE PRINCETON, TX</p>																																													
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