



**AGENDA  
CITY OF ALLEN  
PLANNING AND ZONING COMMISSION REGULAR MEETING  
TUESDAY, MAY 3, 2022 – 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. Director's Report.**

3.1 Receive the Director's Report on Action Taken on the Planning and Zoning Commission Items by City Council at the April 26, 2022, Regular Meeting.

**4. 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.)*

4.1 Approve Minutes from the April 19, 2022, Planning and Zoning Commission Regular Meeting.

4.2 Consider a Request for a Replat of Lots 6A, and 6B, Block A, CLA Allen Addition; Generally Located East of U.S. Highway 75 and North of East Exchange Parkway. (PL-040822-0007) [Exchange Business Center]

**5. Regular Agenda.**

5.1 Conduct a Public Hearing and Consider a Request for a Specific Use Permit for Dwelling, Single-Family (Attached)/Townhome Use for Approximately 1.4348 Acres of Land Located in the James L. Read Survey, Abstract No. 758; Generally Located at the Northeast Corner of Boyd Drive and Butler Drive. (SUP-072321-0004) [Townhomes - 100 W. Boyd]

5.2 Conduct a Public Hearing and Consider a Request to Establish a Planned Development Zoning District with a Base Zoning of Light Industrial, Corridor Commercial, and Townhome and to Adopt Development Regulations, Zoning Exhibit, Concept Plan, and Building Elevations for Approximately 84.3632 Acres in the George Fitzhugh Survey, Abstract No. 321 and Francis Dosser Survey, Abstract No. 280; Generally Located at Northwest Corner of Chelsea Boulevard and Ridgeview Drive. (ZN-102121-0019) [Chelsea 121 Mixed Use]

5.3 Conduct a Public Hearing and Consider a Proposed Amendment to the Allen Land

Development Code Amending Section 4.10, “Residential Accessory Use Regulations,” by Adopting Standards Pertaining to “Cooling Towers and Similar Structures,” “Carports,” “Swimming Pools,” and “Home Occupations.”

**6. Executive Session. (As needed)**

*As authorized by Section 551.071(2) of the Texas Government Code, this meeting 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.*

**7. 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 29, 2022, 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.*



<p><b>PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION</b></p>
---

**AGENDA DATE:** May 3, 2022

**AGENDA CAPTION:** Receive the Director's Report on Action Taken on the Planning and Zoning Commission Items by City Council at the April 26, 2022, Regular Meeting.

**STAFF RESOURCE:** Marc Kurbansade, Director

**STRATEGIC PLANNING GOAL:** Vibrant Community with Lively Destinations and Successful Commercial Centers.

**BACKGROUND**

No items were taken to the April 26, 2022 City Council Meeting.

<p><b>PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION</b></p>
---

<b>AGENDA DATE:</b>	May 3, 2022
<b>AGENDA CAPTION:</b>	Approve Minutes from the April 19, 2022, Planning and Zoning Commission Regular Meeting.
<b>STAFF RESOURCE:</b>	Hayley Angel, Planning Manager
<b>STRATEGIC PLANNING GOAL:</b>	Financially Sound and Transparent City Government.

**ATTACHMENT(S)**

[Minutes from the April 19, 2022 P&Z Meeting](#)

**PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**  
**APRIL 19, 2022**

---

**ATTENDANCE:**

**Commissioners Present:**

Michael Smiddy, 1<sup>st</sup> Vice-Chair  
Kenneth Cook, 2<sup>nd</sup> Vice-Chair  
Elias Shaikh  
Brent Berg  
Gary Stocker  
Jason Wright

**Commissioners Absent:**

Dan Metevier, Chair

**City Staff Present:**

Marc Kurbansade, AICP, Director of Community Development  
Joseph Cotton, P.E., Assistant Director of Engineering  
Hayley Angel, AICP, Planning Manager  
Jessica Johnsen, Planner  
Jordan Caudle, Planner  
Kaleb Smith, City Attorney

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

With a quorum of the Commissioners present, 1<sup>st</sup> Vice-Chair Smiddy called the meeting to order at 7:00 p.m. in the City Hall Council Chambers Room at Allen City Hall, 305 Century Parkway, Allen, Texas, 75013.

**2. Pledge of Allegiance.**

**3. Directors Report.**

3.1 The Director of Community Development discussed the action taken on the Planning & Zoning Commission items by City Council at the April 12, 2022, Regular Meeting.

**4. 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.)*

4.1 Approve Minutes from the April 5, 2022, Planning and Zoning Commission Regular Meeting.

4.2 Consider a Request for a Final Plat for Reserve at Watters, Being Approximately 34.235 Acres in the Francis Dosser Survey, Abstract No. 280; Generally Located at the Northwest Corner of the Intersection of Watters Road and Stacy Road. (PL-032522-0006) [Reserve at Watters]

**Motion:**        **Upon a motion by Commissioner Berg, and a second by Commissioner Stocker, the Commission voted 6 IN FAVOR and 0 OPPOSED to approve the Consent Agenda items as presented.**

**The motion carried.**

**5.     Regular Agenda.**

- 5.1     WITHDRAWN - Conduct a Public Hearing and Consider a Request for a Specific Use Permit SUP for a Car Wash on Lot 2, Block A, Stacy Chelsea Commercial Addition; Generally Located Directly North of Stacy Road and East of Chelsea Blvd. Commonly known as 850 W. Stacy Road. (SUP-102921-0005) [Car Spa]

No action was taken on this item.

- 5.2     WITHDRAWN - Conduct a Public Hearing and Consider a Request to Establish a Planned Development Zoning District with a Base Zoning of Single-Family Residential (R-7) and to Adopt Development Regulations, a Concept Plan, Open Space Plan, and Building Elevations for Lot 1, Block 2, Jones Addition Located Approximately 1,192 Feet North of Prestige Circle and Directly East of Greenville Avenue. (ZN-012122-0003) [505 S. Greenville]

No action was taken on this item.

- 5.3     Conduct a Public Hearing and Consider a Request to Amend the Development Regulations of Planned Development No. 100 Office and to Adopt a Base Zoning, Concept Plan, Open Space Plan, and Building Elevations for Approximately 0.900 Acres in the Catherine Parsons Survey, Abstract No. 711, Generally Located Approximately 513 Feet West of Benton Drive and Directly North of McDermott Drive. (ZN-021819-0047) [1100 W. McDermott]

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

1<sup>st</sup> Vice-Chair Smiddy opened the public hearing.

1<sup>st</sup> Vice-Chair Smiddy closed the public hearing.

Commissioners discussed the turn lanes on McDermott, flood plain, and flood study process.

**Motion:**        **Upon a motion by Commissioner Berg, and a second by Commissioner Wright, the Commission voted 6 IN FAVOR and 0 OPPOSED to recommend approval of an ordinance to amend Planned Development No. 100 and adopt a base zoning of Shopping Center, subject to the Development Regulations, Concept Plan, Landscape Plan, and Building Elevations, as presented.**

**The motion carried.**

**6.     Executive Session. *(As needed)***

The Executive Session was not held.

**7.     Adjournment.**

The meeting adjourned at 7:23 p.m.

These minutes were approved this 3<sup>rd</sup> day of May 2022.

---

**Dan Metevier, CHAIR**

---

**Hayley Angel, AICP, PLANNING MANAGER**

<p style="text-align: center;"><b>PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION</b></p>
---

**AGENDA DATE:** May 3, 2022

**AGENDA CAPTION:** Consider a Request for a Replat of Lots 6A, and 6B, Block A, CLA Allen Addition; Generally Located East of U.S. Highway 75 and North of East Exchange Parkway. (PL-040822-0007) [Exchange Business Center]

**STAFF RESOURCE:** Jessica Johnsen, Planner

**STRATEGIC PLANNING GOAL:** Vibrant Community with Lively Destinations and Successful Commercial Centers.

**BACKGROUND**

The property is located directly east of U.S. 75 and directly north of W. Exchange Parkway (commonly known as 260 W. Exchange Parkway). The properties to the north and west are zoned Planned Development No. 58 (PD-58) with a base zoning of Shopping Center (SC). The property to the south is zoned Planned Development No. 21 with a base zoning of Garden Office (GO). The property to the east (across U.S. 75) is zoned Planned Development No. 54 with a base zoning of Commercial Corridor (CC).

The property is in the PD-58 zoning district with a base zoning of SC. A site plan for the proposed replat was approved in November 2021. Platting is the final step in the development process.

The Replat shows three lots at a total of 5.811± acres. The site is accessible by several internal Fire Lanes and Public Access Easements.

The Replat has been reviewed by the Technical Review Committee, is generally consistent with the Site Plan and meets the requirements of the Allen Land Development Code.

**STAFF RECOMMENDATION**

Staff recommends approval

**MOTION**

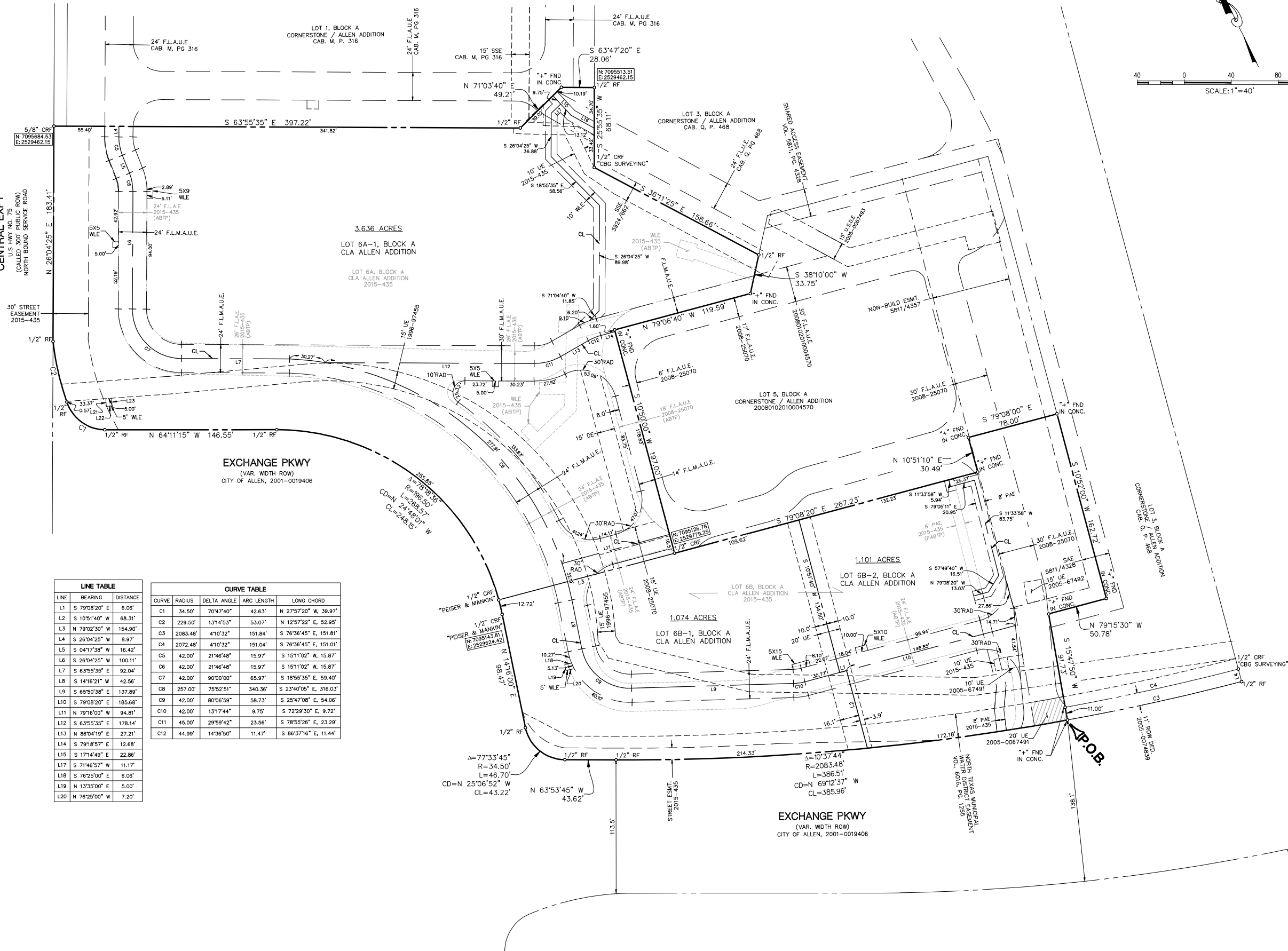
*I make a motion to approve the Replat of Lots 6A, and 6B, Block A, CLA Allen Addition, as presented.*

**ATTACHMENT(S)**

[Final Plat](#)

File: \\McAdams\Projects\20210227 CLA Add\102-0019406\Drawings\20210227 REPLAT.dwg  
Plotted: 1/21/2022 1:21 PM, by: Weavereng, Inc. Saved: 4/21/2022 1:17 PM, by: bison

CENTRAL EXPY  
U.S. HWY NO. 75  
(CALLED 300' PUBLIC ROW)  
NORTH BOUND SERVICE ROAD



PROJECT  
SITE

VICINITY MAP SCALE: 1"=1000'

LEGEND

- RF = REBAR FOUND
- CRS = CAPPED REBAR SET
- BL = BUILDING LINE
- UE = UTILITY EASEMENT
- CRF = CAPPED REBAR FOUND
- SSE = SANITARY SEWER EASEMENT
- WLE = WATER LINE EASEMENT
- FLAUE = FIRE LANE AND ACCESS EASEMENT
- FLUE = FIRE LANE AND UTILITY EASEMENT
- FLAUE = FIRE LANE, ACCESS, AND UTILITY EASEMENT
- FLAUE = FIRE LANE, MUTUAL ACCESS, AND UTILITY EASEMENT
- U.S.E. = UTILITY AND STORM DRAIN EASEMENT
- SAE = SHARED ACCESS EASEMENT
- PAE = PEDESTRIAN ACCESS EASEMENT

PRELIMINARY DOCUMENT:  
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL  
NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.  
JAMES STOWELL, RPLS 6610 4/21/22

REPLAT  
LOTS 6A-1, 6B-1, & 6B-2, BLOCK A  
CLA ALLEN ADDITION  
5.811 Acres  
in the  
L.K. PEQUES SURVEY, ABSTRACT NO. 702  
CITY OF ALLEN  
COLLIN COUNTY, TEXAS

PAGE 1 OF 2



McADAMS

The John R. McAdams  
Company, Inc.  
111 Hillside Drive  
Lewisville, Texas 75057  
972.436.9712  
201 Country View Drive  
Roanoke, Texas 76262  
940.240.1012  
TBPE: 19762 TBPLS: 10194440  
www.jrcom.com  
www.mcadamsco.com

DRAWN BY: BC DATE: 6/1/2021 SCALE: 1"=40' JOB. No.

WEAVERENG  
20210227

OWNER/DEVELOPER  
RPGC, LLC  
6050 COLLIN MCKINNEY PARKWAY  
SUITE 208  
MCKINNEY, TX 75070  
Ph. (940) 422-7227  
Contact: BUCKY GILLET  
Em: BUCKY@GILLETCOMMERCIAL.COM

The: \\k:\Projects\ME\2021\0237 CLA Add\02-Survey\Survey\Title\WEAVER ENG 20210237 REPLAT  
Plotted: 1/21/2022 1:22 PM, by: Andrew Cox, Sheet: 4/21/2022 5:17 PM, 19 lots

LEGAL DESCRIPTION

5.811 ACRES

BEING all that certain Lot, Tract, or Parcel of land, situated in the L.K. Peques Survey, Abstract Number 702, City of Allen, Collin County, Texas, and being all of Lot 6A and 6B, CLA Allen Addition, an addition to the City of Allen, according to the plat thereof, recorded in Document Number 2015-435, Plat Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a “+” found in concrete at the southeast corner of said Lot 6B, same being the southwest corner of a certain 11’ Right-of-way dedication, recorded in Document Number 2005-0074839, Plat Records, Collin County, Texas, and being in the north line of Exchange Parkway;

THENCE with the south line of said Lot 6B, and the north line of Exchange Parkway the following four (4) calls:

Northwesterly, with the arc of curve to the right, having a radius of 2083.48 feet, and a central angle of 10°37’44”, at a length of 386.51 feet, whose chord bears N 69°12’37” W, 385.96 feet to a 1/2” rebar found;

N 63°53’45” W, a distance of 43.62 feet, to a 1/2” rebar found;

Northwesterly, with the arc of curve to the right, having a radius of 34.50 feet, and a central angle of 77°33’45”, at a length of 46.70 feet, whose chord bears N 25°06’52” W, 43.22 feet to a 1/2” rebar found;

N 14°16’00” E, a distance of 98.47 feet to a 1/2” capped rebar found, stamped “Peiser & Mankin”;

THENCE Northwesterly, with the arc of curve to the left, having a radius of 196.50 feet, and a central angle of 78°18’36”, passing at an arc length of 12.72, a 1/2” capped rebar found, stamped “Peiser & Mankin” at the northwest corner of said Lot 6B, same being in the south line of said Lot 6A, and being in the east line of Exchange Parkway, continuing with the south line of said Lot 6A, and the north line of Exchange Parkway, continuing a total arc length of 268.57 feet, whose chord bears N 24°48’01” W, 248.15 feet to a 1/2” rebar found;

THENCE N 64°11’15” W, with the south line of said Lot 6A, and the north line of Exchange Parkway, a distance of 146.55 feet to a 1/2” rebar found;

THENCE Northwesterly, with the arc of curve to the right, with the south line of said Lot 6A, and the north line of Exchange Parkway, having a radius of 34.50 feet, and a central angle of 70°47’40”, at an arc length of 42.63 feet, whose chord bears N 27°57’20” W, 39.97 feet to a 1/2” rebar found;

THENCE Northeasterly, with the arc of curve to the right, with the south line of said Lot 6A, and the north line of Exchange Parkway, having a radius of 229.50 feet, and a central angle of 131°4’53”, at an arc length of 53.07 feet, whose chord bears N 12°57’22” E, 52.95 feet to a 1/2” rebar found at the southwest corner of said Lot 6A, same being the east corner of the intersection of Exchange Parkway, and Central Expressway (US Highway 75);

THENCE N 26°04’25” E, with the west line of said Lot 6A, and the east line of Central Expressway, a distance of 183.41 feet to a 5/8” capped rebar found at the northwest corner of said Lot 6A, same being the southwest corner of Lot 1, Block A, Cornerstone/Allen Addition, an addition to the City of Allen, according to the plat thereof, recorded in Cabinet M, Page 316, Plat Records, Collin County, Texas, and being in the east line of Central Expressway;

THENCE with the north line of said Lot 6A, and the south line of said Lot 1, the following three (3) calls:

S 63°55’35” E, a distance of 397.22 feet to a 1/2” rebar found;

N 71°03’40” E, a distance of 49.21 feet to a “+” found in concrete;

S 63°47’20” E, a distance of 28.06 feet to a 1/2” rebar found, in the west line of Lot 3, Block A, Cornerstone/Allen Addition, an addition to the City of Allen, according to the plat thereof, recorded in Cabinet Q, Page 46B, Plat Records, Collin County, Texas, and being the northeast corner of said Lot 6A;

THENCE S 25°55’35” W, with the east line of said Lot 6A, and the most northerly west line of said Lot 3, a distance of 68.11 feet to a 1/2” capped rebar found, stamped “CBG Surveying”;

THENCE S 36°11’25” E, with east line of said Lot 6A, and the most northerly west line of said Lot 3, a distance of 158.66 feet to a 1/2” rebar found, at the most northerly southwest corner of said Lot 3, being in the north line of Lot 5 Block A, Cornerstone/Allen Addition, an addition to the City of Allen, according to the plat thereof, recorded in Instrument Number 20080102010004570, Plat Records, Collin County, Texas, and being in the east line of said Lot 6A;

THENCE S 38°10’00” W, with the east line of said Lot 6A, and the north line of said Lot 5, a distance of 33.75 feet to a “+” found in concrete

THENCE N 79°06’40” W, with the east line of said Lot 6A, and the north line of said Lot 5, a distance of 119.59 feet to a “+” found in concrete, at the northwest corner of said Lot 5, and being in the east line of said Lot 6A;

THENCE S 10°50’00” W, with the east line of said Lot 6A, and the west line of said Lot 5, a distance of 197.00 feet to a 1/2” capped rebar found, at the southeast corner of said Lot 6A, same being the southwest corner of said Lot 5, and being in the north line of said Lot 6B;

THENCE with the north line of said Lot 6B, and the south line of said Lot 5, the following three (3) calls:

S 79°08’20” E, a distance of 267.23 feet to a “+” found in concrete;

N 10°51’10” E, a distance of 30.49 feet to a “+” found in concrete;

S 79°08’00” E, a distance of 78.00 feet to a “+” found in concrete at the northeast corner of said Lot 6A, same being the southeast corner of said Lot 5, and being in the most southerly west line of said Lot 3;

THENCE with the east line of said Lot 6A, and the most southerly west line of said Lot 3 the following three (3) calls:

S 10°52’00” W, a distance of 162.72 feet to a “+” found in concrete;

N 79°15’30” W, a distance of 50.78 feet to a “+” found in concrete;

S 15°47’50” W, passing at a distance of 80.73 feet a “+” found in concrete, at the most southerly, southwest corner of said Lot 3, same being the northwest corner of said 11’ Right-of-way dedication, continuing a total distance of 91.73 feet to the POINT OF BEGINNING, and containing approximately 5.811 Acres of land.

KNOW ALL MEN BY THESE PRESENTS:

That HORACE GILLETT, through the undersigned authority, does hereby adopt this plat designating the described property as CLA Allen Addition, an addition to the City of Allen, Texas, and does hereby dedicate to the public use forever the streets and alleys thereon; and does hereby dedicate the easement strips shown on the plat for mutual use and accommodation of all public utilities desiring to use, or using same. No buildings, fences, trees, shrubs or other improvements shall be constructed or placed upon, over or across the easement strips on said plat. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements, or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of these easement strips, and any public utility shall at all times have the right of ingress and egress to and from and upon any of said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone. This plat is approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Allen, Texas.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

RPGC Exchange, LLC

HORACE GILLETT

Authorized Representative

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, personally appeared HORACE GILLETT, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public State of Texas

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Approved

Chair  
Planning and Zoning Commission

Date

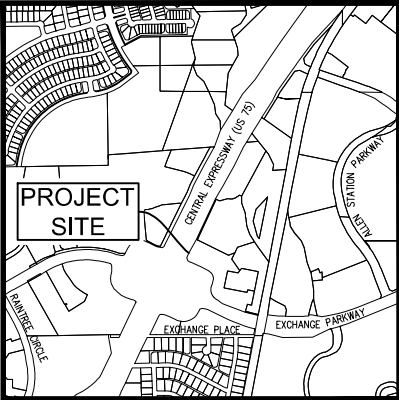
Executed Pro Forma

Mayor

Date

The undersigned, the City Secretary of the City of Allen, Texas, hereby certifies that the foregoing Replat of the CLA Addition to the City of Allen was submitted to the Planning and Zoning Commission and approved by it on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

City Secretary, City of Allen



VICINITY MAP SCALE: 1"=1000'

REPLAT  
LOTS 6A-1, 6B-1, & 6B-2, BLOCK A  
CLA ALLEN ADDITION  
5.811 Acres  
in the  
L.K. PEQUES SURVEY, ABSTRACT NO. 702  
CITY OF ALLEN  
COLLIN COUNTY, TEXAS

PAGE 2 OF 2



The John R. McAdams  
Company, Inc.  
111 Hillside Drive  
Lewisville, Texas 75057  
972.436.9712  
201 Country View Drive  
Roanoke, Texas 76262  
940.240.1012  
www.jrco.com  
TBP#: 19762 TBP#: 10194440  
www.mcadamsco.com

DRAWN BY: BC DATE: 1/26/2022 SCALE: 1"=40' JOB. No. WEAVERENG 2021310237

OWNER/DEVELOPER  
RPGC, LLC  
6050 COLLIN MCKINNEY PARKWAY  
SUITE 208  
MCKINNEY, TX 75070  
Ph. (940) 428-7227  
Contact: BUCKY GILLETT  
Em: BUCKY@GILLETTCOMMERCIAL.COM

NOTES:

- Bearings based on Texas Coordinate System, North Central Zone (5351), NAD '83.
- Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners. MCADAMS and the Surveyor shall not be liable for any unauthorized use hereof.
- Surveyor has made no investigation or independent search for easements of record, restrictive covenants, ownership title evidence, or any other facts that and accurate abstract of title may disclose.
- No flood zone area analysis has been performed by MCADAMS on the subject property.
- According to Community/Panel No. 48085C0385 J, effective June 2, 2009, of the FLOOD INSURANCE RATE MAP for Collin County, Texas & Incorporated Areas, by graphic plotting only, this property appears to be within Flood Zone "X" (areas of minimal flooding). This flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
- All original copies of survey maps and descriptions by the surveyor and firm whose name appear hereon will contain an embossed surveyor's seal. Any map or description copy without that embossed seal is likely copy not prepared in the office of the surveyor and may contain alterations or deletions made without the knowledge or oversight of the surveyor.
- The purpose of this plat is to modify existing easements and break Lot 6B into two lots.

SURVEYOR'S STATEMENT

I, W. Thad Murley III, a Registered Professional Land Surveyor in the State of Texas, have prepared this plat of the above property from an actual survey on the ground, and this plat represents that survey made by me or under my supervision.

PRELIMINARY DOCUMENT:  
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.  
W. THAD MURLEY III, RPLS 5802 4/21/22

W. Thad Murley III, RPLS  
Texas Registration No. 5802

STATE OF TEXAS §  
COUNTY OF DENTON §

BEFORE ME, THE UNDERSIGNED AUTHORITY, personally appeared W. THAD MURLEY III, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public State of Texas

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



<p style="text-align: center;"><b>PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION</b></p>
---

<b>AGENDA DATE:</b>	May 3, 2022
<b>AGENDA CAPTION:</b>	Conduct a Public Hearing and Consider a Request for a Specific Use Permit for Dwelling, Single-Family (Attached)/Townhome Use for Approximately 1.4348 Acres of Land Located in the James L. Read Survey, Abstract No. 758; Generally Located at the Northeast Corner of Boyd Drive and Butler Drive. (SUP-072321-0004) [Townhomes - 100 W. Boyd]
<b>STAFF RESOURCE:</b>	Hayley Angel, Planning Manager
<b>BOARD/COMMISSION ACTION:</b>	<p>On December 9, 2021, the Design Review Committee recommended approval with conditions of the request.</p> <p>On April 5, 2022, the Design Review Committee recommended approval of the revised request.</p>
<b>STRATEGIC PLANNING GOAL:</b>	Vibrant Community with Lively Destinations and Successful Commercial Centers.

**BACKGROUND**

The subject property comprises the entire block at the northeast corner of the intersection of Butler Drive and Boyd Drive. The surrounding properties and subject property are located in the Central Business District.

The applicant is requesting to develop 16 townhome units in the Central Business District zoning district. In the Central Business District (CBD), the "Dwelling, Single-Family (Attached)/Townhome" land use requires a Specific Use Permit (SUP).

In addition to the SUP, Section 4.08.19.2.b.i of the Allen Land Development Code (ALDC) requires that any application for new construction in the CBD to be reviewed by the Design Review Committee (DRC) to determine that it satisfies the CBD standards. The applicant went before the DRC on December 9, 2021 and received a recommendation of "approval with conditions." The applicant was tasked with re-evaluating their sidewalk connections and building elevations. On April 5, 2022, the applicant went before DRC with updated plans and received a recommendation of approval.

The SUP Site Plan shows sixteen townhome units on approximately 1.4348 acres of land. The townhomes on the eastern half of the property front the DART right-of-way, and the townhomes on the western half of the property front Butler Drive. All of the townhomes are rear-loaded from an alley in the center of the property. Each dwelling unit is approximately 2,833 square feet, exceeding the zoning district's minimum dwelling unit size of 800 square feet.

The townhomes along Butler Drive meet the CBD's maximum front yard setback of 10 feet. The

townhomes along the DART right-of-way do exceed this maximum setback for a total front yard setback of 20 feet. The request to increase the front yard setback was reviewed and approved by the DRC pursuant to Section 4.08.19.g.iii.a of the ALDC. The intent of the 10-foot front yard setback is to require buildings to front the street, and the DRC determined that was not applicable along the DART right-of-way. Additionally, due to the grading of the site, there will likely be a retaining wall along the eastern property line of the site.

The applicant is proposing to convert Butler Drive to concrete and add parallel parking adjacent to the townhomes. There will also be bump-outs for trees along this side of Butler Drive. Boyd Drive will also be replaced with concrete. A new alley will connect from Coats Drive through the center of the block down to Boyd Drive.

The subject property has a small detention pond in the northeastern corner of the site. The Landscape Plan shows that this is screened from Butler Drive by both shrubs along the alley and with vines planted at the base of an ornamental metal fence. There is not a minimum open space requirement in the CBD zoning district, but the applicant has provided intermittent spaces with amenities for the future residents as shown on both the SUP Site Plan and Landscape Plan.

The Building Elevations show approximately 28-foot-tall buildings and show brick, stone, and stucco as building materials. The building materials are compliant with the regulations listed in the ALDC for the CBD zoning district. The elevations also show bay windows, front porches, and second-floor balconies.

The request has been reviewed by the Technical Review Committee.

#### **STAFF RECOMMENDATION**

Staff recommends approval.

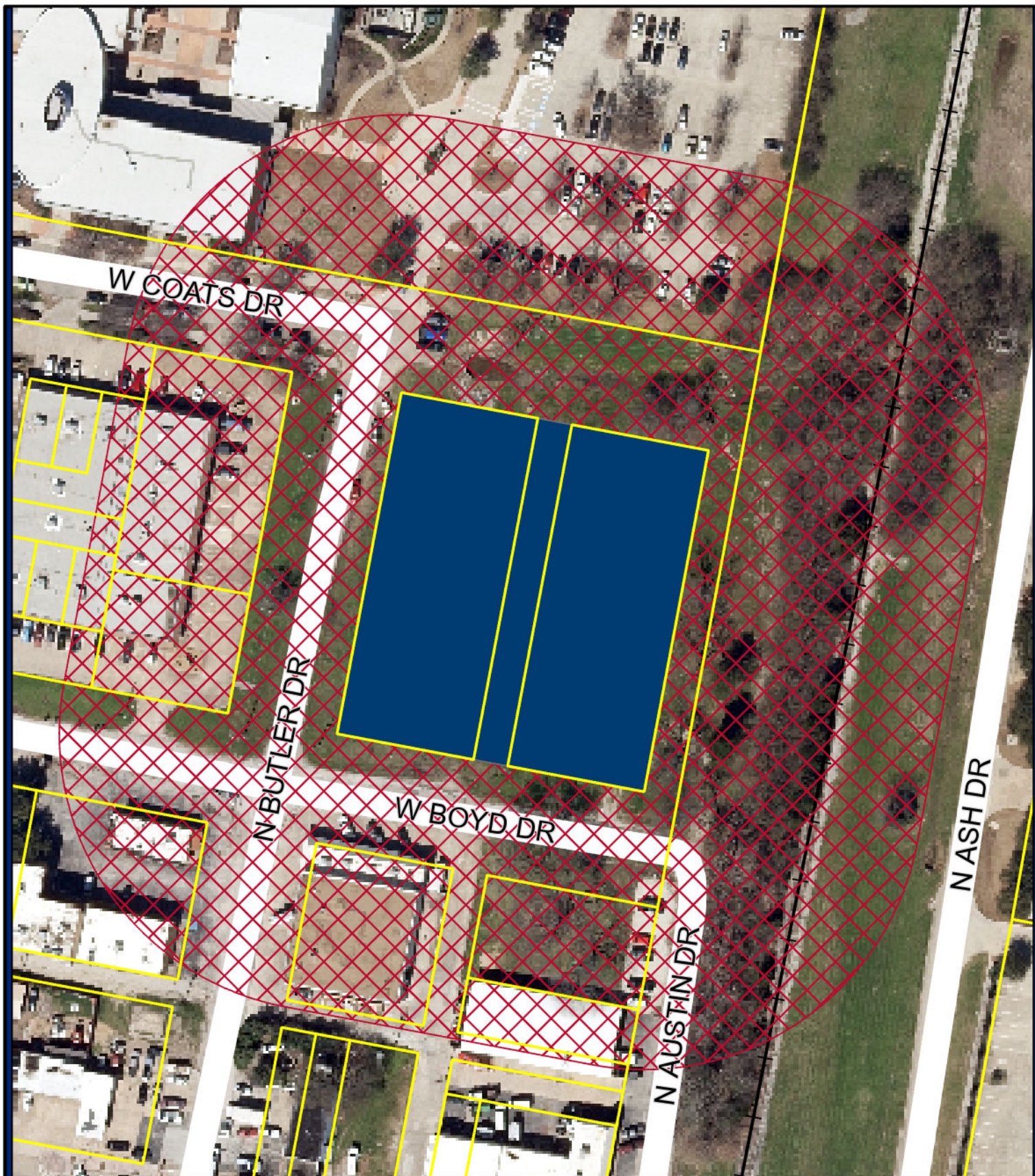
#### **MOTION**

***I make a motion to recommend approval of an ordinance to adopt a Specific Use Permit for a Townhome use subject to the SUP Site Plan, Landscape Plan, and Building Elevations, as presented.***

#### **ATTACHMENT(S)**

[Property Notification Map](#)  
[Draft Ordinance](#)







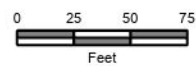


Public Notification Map

100 W. Boyd Dr.

#### Legend

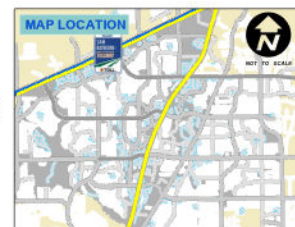
-  Subject Property
-  Collin CAD Parcels
-  200' Buffer
-  Collin CAD Parcels selection



Community Development - Planning

Date Saved: 4/15/2022

NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.





**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 BY GRANTING SPECIFIC USE PERMIT NO. 183 FOR TOWNHOME USE RELATING TO THE DEVELOPMENT AND USE OF 1.4348± ACRES IN THE JAMES L. READ SURVEY, ABSTRACT NO. 758, LOCATED WITHIN THE CENTRAL BUSINESS DISTRICT “CBD”; 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.**

**WHEREAS**, the Planning and Zoning Commission of the City of Allen, Texas, 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 Zoning Map of the City of Allen, Collin County, Texas, be amended by granting Specific Use Permit No. 183 for Townhome Use relating to the development and use of 1.4348± acres in the James L. Read Survey, Abstract No. 758, described on Exhibit “A” attached hereto and incorporated herein by reference (“the Property”), which is presently located zoned Central Business District “CBD”.

**SECTION 2.** The Property shall be developed and used only in the manner and for the purposes provided for in the Allen Land Development Code Zoning Regulations, as heretofore amended, applicable to property located within a Central Business District (“CBD”), and, if developed and used for Townhome purposes, shall be subject to the following special condition:

- A.** The Property shall be developed in general conformance with the SUP Site Plan, the Landscape Plan, and Building Elevations attached hereto as Exhibits “B,” “C,” and “D,” respectively, and incorporated herein by reference.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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 7.** 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 24<sup>th</sup> DAY OF MAY 2022.**

**APPROVED:**

\_\_\_\_\_  
**Kenneth M. Fulk, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**Peter G. Smith, CITY ATTORNEY**  
(kbl:4/19/2022:129139)

\_\_\_\_\_  
**Shelley B. George, TRMC, CITY SECRETARY**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING a 1.4348 acre tract of land situated in the James L. Read Survey, Abstract Number 758, City of Allen, Collin County, Texas and being all of Block 6 of the Original Donation, Town of Allen, as recorded in Volume 6, Page 152 of the Plat Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Burns Surveying" found for the most northerly northwest corner of said Block 6 and for the northwest of Lot 8 of said Block 6, said corner being the intersection of the southeasterly right-of-way line of North Butler Drive (a 60-foot wide public right-of-way) with the southerly right-of-way line of West Coats Drive (a 50-foot wide public right-of-way);

THENCE South 79 degrees 05 minutes 36 seconds East, along the common said southerly right-of-way line of West Coats Drive and the northerly line of said Block 6, a distance of 250.00 feet to a 1/2-inch iron rod with cap stamped "Burns Surveying" found for the most easterly northeast corner of said Block 6 and for the northeast corner of Lot 5 of said Block 6, said corner being the intersection of said southerly right-of-way line with the northwesterly right-of-way line of a railroad right-of-way;

THENCE South 10 degrees 54 minutes 24 seconds West, along the common said northwesterly right-of-way line and the southeasterly line of said Block 6, a distance of 250.00 feet to a 1/2-inch iron rod with cap stamped "Burns Surveying" found for the most southerly southeast corner of said Block 6, and for the southeast corner of Lot 1 of said Block 6, said corner being the intersection of said northwesterly right-of-way line with the northeasterly right-of-way line of West Boyd Avenue (a 60-foot wide public right-of-way);

THENCE North 79 degrees 05 minutes 36 seconds West, along the common southwesterly line of said Block 6 and said northeasterly right-of-way line, a distance of 250.00 feet to a 1/2-inch iron rod with cap stamped "Burns Surveying" found for the most westerly southwest corner of said Block 6 and the southwest corner of Lot 7 of said Block 6, said corner being the intersection of said northeasterly right-of-way line of West Boyd Drive with said southeasterly right-of-way line of North Butler Drive;

THENCE North 10 degrees 54 minutes 24 seconds East, along the common northwesterly line of said Block 6 and said southeasterly right-of-way line, a distance of 250.00 feet to the POINT OF BEGINNING AND CONTAINING 62,500 square feet or 1.4348 acres of land, more or less.

LEGEND	
	EXIST. ASPHALT PVMT. TO BE REMOVED
	EXIST. CONC. PVMT. TO BE REMOVED
	PROPOSED FIRE LANE
	PROPOSED SIDEWALK
	2' WIDE NON-VEGETATIVE STRIPE
	PROPOSED BUILDING
	PROPOSED DRIVEWAY

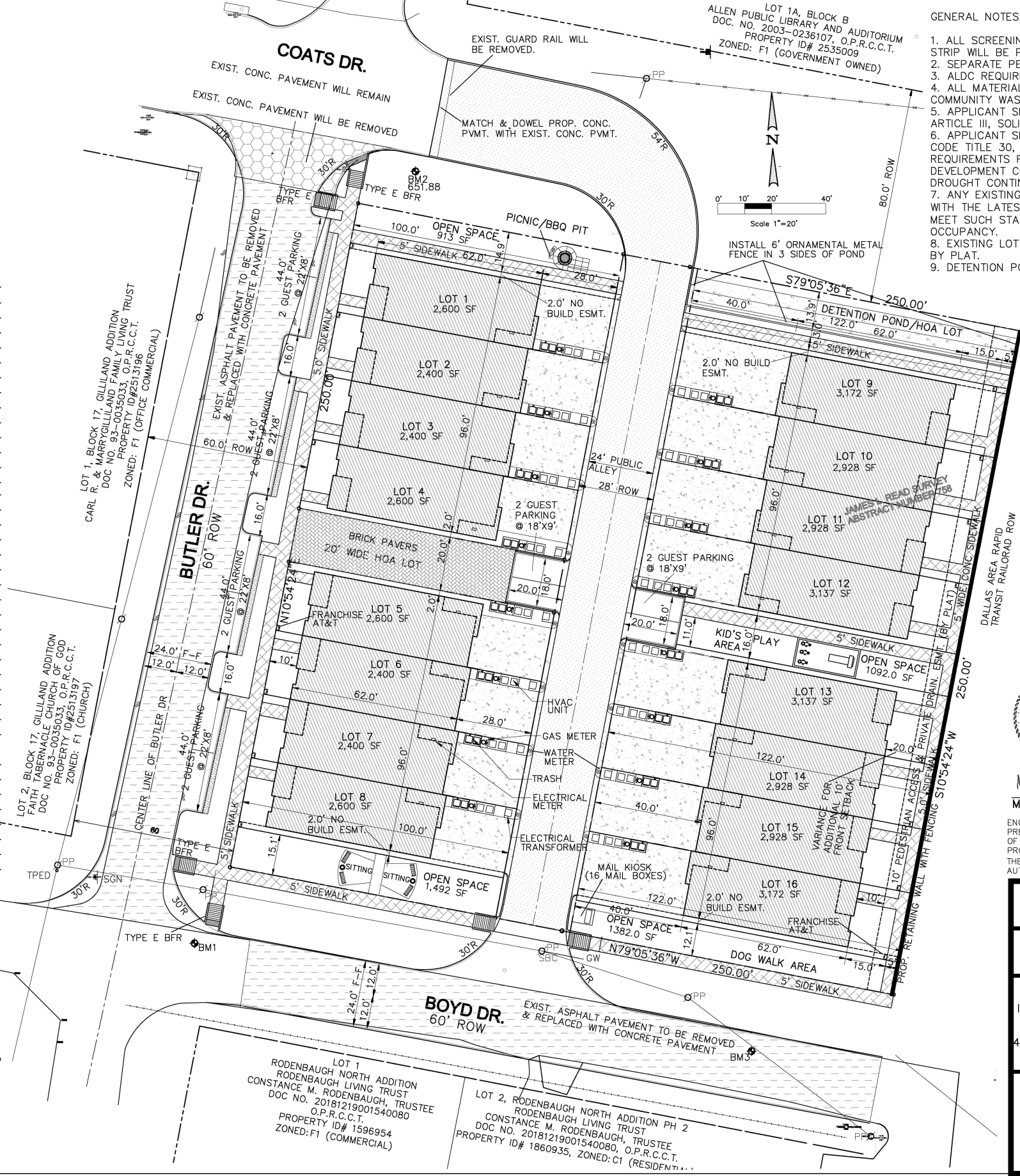
SITE DATA SUMMARY TABLE

GENERAL SITE DATA		C.B.D. (CENTRAL BUSINESS DISTRICT)
TOTAL LAND AREA	62,500 SF (1.435 AC)	
LAND USE	TOWNHOME	
TOTAL HOUSES	16	
DENSITY (DWELLING UNITS/ACRE)	12	
MIN. LOT AREA REQUIRED	2,140 SF	
MIN. LOT AREA PROVIDED	2,400 SF	
BUILDING FOOT PRINT AREAS	1,388 S.F.	
MAX. BUILDING HEIGHT ALLOWED (#stories)	4 - STORY	
MAX. BUILDING HEIGHT PROPOSED	2 - STORY	
MAXIMUM BUILDING HEIGHT ALLOWED	75.0 FT.	
MAXIMUM BUILDING HEIGHT PROVIDED	26.0 FT.	
MAX. LOT COVERAGE ALLOWED	95%	
LOT COVERAGE PROPOSED FOR LOT 2, 3, 6 & 7	55.45% (1,331/2,400)	
LOT COVERAGE PROPOSED FOR LOT 1, 4, 5 & 8	51.19% (1,331/2,600)	
LOT COVERAGE PROPOSED FOR LOT 9 & 16	41.28% (1,331/3,224)	
LOT COVERAGE PROPOSED FOR LOT 10, 11, 14 & 15	44.72% (1,331/2,976)	
LOT COVERAGE PROPOSED FOR LOT 12 & 13	41.78% (1,331/3,185)	
FLOOR AREA RATIO FOR LOT 2, 3, 6 & 7	1.18 (2,833/2,400)	
FLOOR AREA RATIO FOR LOT 1, 4, 5 & 8	1.09 (2,833/2,600)	
FLOOR AREA RATIO LOT 9 & 16	0.88 (2,833/3,224)	
FLOOR AREA RATIO FOR LOT 10, 11, 14 & 15	0.95 (2,833/2,976)	
FLOOR AREA RATIO FOR LOT 12 & 13	0.89 (2,833/3,185)	
MIN. PARKING SPACE REQUIRED	8	
PARKING SPACE PROVIDED	12	
MIN. LOT WIDTH REQUIRED	N/A	
MIN. LOT WIDTH PROVIDED	24.0'	
MIN. LOT DEPTH REQUIRED	N/A	
MIN. LOT DEPTH PROVIDED	100'	
MIN. DWELLING SIZE REQUIRED	800 SF	
MIN. DWELLING SIZE PROVIDED	2,833 SF (1st Floor = 1,331 SF + 2nd Floor = 1,502 SF)	
FRONT SETBACK REQUIRED	10'	
FRONT SETBACK PROVIDED (LOT 1 TO 8)	10'	
FRONT SETBACK PROVIDED (LOT 9 TO 16)	20'	
SIDE SETBACK REQUIRED	0	
SIDE SETBACK PROVIDED	N/A	
LANDSCAPE AREA REQUIRED	8,250 SF (10% OF TOTAL LAND AREA)	
LANDSCAPE AREA PROVIDED	10,531.0 SF (16.85% OF TOTAL LAND AREA)	

DEVELOPER/OWNER & CONSULTANTS  
OWNER/DEVELOPER:  
AKM MONIRUL HUQ  
3713 BELLAVISTA DRIVE  
PLANO, TEXAS 75074  
PH. 469 450 5851  
E-MAIL:HUQAKM@YAHOO.COM

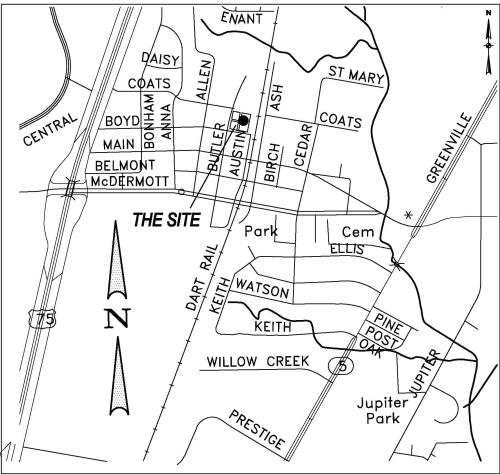
CIVIL ENGINEER:  
ND & ASSOCIATES, LLC  
CONTACT: NAIM KHAN, P.E. CFM  
603 CHERRY TREE LANE  
WYLIE, TEXAS 75098  
PH. 214 533 7181  
E-MAIL: naim1207@yahoo.com

ARCHITECT  
fk +architect, llc  
CONTACT: FAHIM KHAN, RA, LEED AP  
400 CHISHOLM PLACE, SUITE 410  
PLANO, TEXAS 75075  
PH. 972 424 1325 (W)  
469 258 9322 (C)  
E-MAIL: fahim2582@aol.com



GENERAL NOTES:

1. ALL SCREENING WALLS AND FENCES SHALL BE LOCATED ON THE PROPERTY LINE & MOW STRIP WILL BE PROVIDED.
2. SEPARATE PERMIT WILL BE REQUIRED FOR SIGNAGE, FENCE, IRRIGATION ETC.
3. ALDC REQUIRES THAT ALL LED LIGHTING TO BE FULLY SHIELDED.
4. ALL MATERIALS FROM CONSTRUCTION MUST BE HAULED BY THE FRANCHISED HAULER - COMMUNITY WASTE DISPOSAL.
5. APPLICANT SHALL COMPLY WITH CITY ORDINANCE, CHAPTER 6, HEALTH AND ENVIRONMENT; ARTICLE III, SOLID WASTE; SECTIONS 6-51 TO 6-80.
6. APPLICANT SHALL COMPLY WITH ALL IRRIGATION REGULATIONS IN V.T.C.A. ADMINISTRATIVE CODE TITLE 30, CHAPTER 344 RULES ESTABLISHED BY THE STATE OF TEXAS; AND REQUIREMENTS FOR IRRIGATION DESIGN AND WATER CONSERVATION SET IN THE ALLEN LAND DEVELOPMENT CODE SECTION 7.05.6, AND THE CITY OF ALLEN WATER CONSERVATION AND DROUGHT CONTINGENCY AND EMERGENCY RESPONSE PLAN.
7. ANY EXISTING SIDEWALK ALONG SURROUNDING STREETS, FOUND TO BE NON-COMPLIANT WITH THE LATEST ADA/TAS STANDARDS SHALL BE RECONSTRUCTED WITH THIS PROJECT TO MEET SUCH STANDARDS AND WILL BE A REQUIREMENT OF FINAL ACCEPTANCE AND OCCUPANCY.
8. EXISTING LOT LINES WILL BE VACATED BY PLAT & NEW LOT LINES WILL BE ESTABLISHED BY PLAT.
9. DETENTION POND WILL BE SUBSTANTIALLY SCREENED FROM VIEW ALONG SIDEWALK



VICINITY MAP  
NOT TO SCALE



Md. Naim Uddin Khan

4-27-2022

ENGINEER NO. 87776. THESE PLANS WERE PREPARED UNDER THE RESPONSIBLE SUPERVISION OF MD. NAIM UDDIN KHAN, REGISTERED PROFESSIONAL ENGINEER. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MD. NAIM UDDIN KHAN P.E. #87776

SITE PLAN FOR SUP

TOWNHOMES

100 W. BOYD DRIVE  
IN JAMES L. READ SURVEY, ABSTRACT NO. 758  
CITY OF ALLEN, COLLIN COUNTY, TEXAS  
LOT 1 TO LOT 16-RESIDENTIAL LOT,  
4 OPEN SPACES & 1-HOA LOT/DETENTION POND

ND & Associates, LLC  
603 Cherry Tree Lane  
Wylie, Texas 75098  
Contact: Naim Khan, P.E., CFM  
PH: (214) 533 7181  
EMAIL: naim1207@yahoo.com  
FIRM # F - 13340

Date : 4/27/2022

Scale : 1"=20'

Design/Draft : ND

Checked : ND

ND PROJECT NO :  
850-ALLEN-21

C1









1 FRONT ELEVATION FROM BUTLER DRIVE

FACADE MATERIAL CALCULATION		
MATERIAL	AREA	%
BRICK	1,409 SF	56.42%
STONE MASONRY	419 SF	16.76%
GLASS AREA	604 SF	24.25%
STUCCO	64 SF	2.56%
TOTAL	2,496 SF	100%

FACADE MATERIAL CALCULATION		
MATERIAL	AREA	%
BRICK	922 SF	36.94%
STONE MASONRY	600 SF	24.04%
GLASS AREA	230 SF	9.21%
STUCCO	96 SF	3.85%
FRONT AND GARGE DOORS	648 SF	25.95%
TOTAL	2,496 SF	100%

FACADE MATERIAL CALCULATION		
MATERIAL	AREA	%
BRICK	1,409 SF	56.42%
STONE MASONRY	419 SF	16.76%
GLASS AREA	604 SF	24.25%
STUCCO	64 SF	2.56%
TOTAL	2,496 SF	100%

FACADE MATERIAL CALCULATION		
MATERIAL	AREA	%
BRICK	922 SF	36.94%
STONE MASONRY	600 SF	24.04%
GLASS AREA	230 SF	9.21%
STUCCO	96 SF	3.85%
FRONT AND GARGE DOORS	648 SF	25.95%
TOTAL	2,496 SF	100%



2 BACK ELEVATION FROM INNER ALLEY

EXTERIOR MATERIAL LIST

BRICK	STUCCO
BK 1-ACME BLEND TWILIGHT (FIELD)	ST 1-PPG109M-3
BK 2-ACME BLEND SLATE (ACCENT)	ST 1-BROWN BRIDGE
BK 1-ELGIN PLANT	PPG (PITTSBURGH PAINTS)
BK 2-GRANITE PLANT	P-0860 PPG-USA
ACME BRICK	MANUFACTURED STONE
P-0721 241-1400	MS 1-CHIPPENWALL LEDGESTONE
P-0722 406-9314	SUPPLIER: LONE STAR STONE
PAVERS	MOISTURE: NATURAL GREY
PV 1-ACME PINE HALL	P-0722 517-9997
BURGUNDY BLEND	P-0722 651-3322

NOTES:  
PAINTS AND GLAZING ARE SUBJECT TO THE APPROVAL OF THE OWNER. GC TO PROVIDE SAMPLE OF ALL PAINT COLOR TO THE OWNER BEFORE PURCHASING ANY PAINT. GC TO MAKE A WIPK UP SAMPLE OF ALL PAINT AND GET APPROVAL OF THE OWNER AND THE ARCHITECT PRIOR TO APPLICATION.



3 SIDE ELEVATION FROM BOYD DRIVE

FACADE MATERIAL CALCULATION		
MATERIAL	AREA	%
BRICK	687 SF	44.79%
STONE MASONRY	538 SF	35.07%
GLASS AREA	209 SF	13.62%
STUCCO	100 SF	6.52%
TOTAL	1,534 SF	100%

FACADE MATERIAL CALCULATION		
MATERIAL	AREA	%
BRICK	687 SF	44.79%
STONE MASONRY	538 SF	35.07%
GLASS AREA	209 SF	13.62%
STUCCO	100 SF	6.52%
TOTAL	1,534 SF	100%

fk + architect, llc  
400 chisholm place  
suite 410  
plano, texas 75075  
972-424 1325 (P)  
469-258-9322 (C)  
fabim2582@aol.com  
web: fkaarchitect.com  
09/17/2021  
W. Selman  
REGISTERED ARCHITECT • STATE OF TEXAS

Original Date:  
APRIL 15, 2021

Issue Log

ISSUED FOR REVIEW	06/28/2021
ISSUED FOR REVIEW	07/15/2021
ISSUED FOR REVIEW	08/16/2021
ISSUED FOR REVIEW	08/26/2021
ISSUED FOR PERMIT	09/17/2021
ISSUED FOR CONSTRUCTION	09/17/2021

DRAWN BY: CHECKED BY:

TOWN HOMES  
SHELL AND INTERIOR FINISH-OUT  
AT 100 WEST BOYD DRIVE  
ALLEN, TEXAS 75013

Sheet Number:  
A301  
Project Number:  
21-031



<p style="text-align: center;"><b>PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION</b></p>
---

<b>AGENDA DATE:</b>	May 3, 2022
<b>AGENDA CAPTION:</b>	Conduct a Public Hearing and Consider a Request to Establish a Planned Development Zoning District with a Base Zoning of Light Industrial, Corridor Commercial, and Townhome and to Adopt Development Regulations, Zoning Exhibit, Concept Plan, and Building Elevations for Approximately 84.3632 Acres in the George Fitzhugh Survey, Abstract No. 321 and Francis Dosser Survey, Abstract No. 280; Generally Located at Northwest Corner of Chelsea Boulevard and Ridgeview Drive. (ZN-102121-0019) [Chelsea 121 Mixed Use]
<b>STAFF RESOURCE:</b>	Marc Kurbansade, Director of Community Development
<b>PREVIOUS COUNCIL ACTION:</b>	Planned Development No. 92 - Approved March, 2004 Planned Development No. 92 - Approved November, 2005 Planned Development No. 147 - Approved October, 2021
<b>STRATEGIC PLANNING GOAL:</b>	Vibrant Community with Lively Destinations and Successful Commercial Centers.

**BACKGROUND**

The subject property is located at the northwest corner of Chelsea Boulevard and Ridgeview Drive. The zoning designations of surrounding properties are as follows:

- North (across SH121) - Municipality of McKinney
- South - Planned Development No. 130 with a base zoning district of Single-Family Residential (R-5)
- East - Planned Development No. 139 with a base zoning district of Mixed Use
- West - Planned Development No. 92 (PD-92) with a base zoning district of Commercial Corridor (CC)

The subject property is comprised of two unplatted tracts with a land area of 84.3632± acres, and retains the following two zoning designations:

- Planned Development No. 147 (PD-147) with a base zoning district of Light Industrial (LI)
- PD-92 with a base zoning district of CC.

On October 25, 2021, City Council rezoned the western 59.7157± acres of this subject property to PD-147 with a base zoning district of LI (Ordinance No. 3875-10-21). The intent for this portion of the property was to allow for warehouse/office/distribution uses. It should be noted that the applicant also

stated that it was their intent to submit a subsequent zoning application to add the additional 26.6475± acres of land adjacent to the east to be used for mixed use purposes. These two pieces of combined property are what comprise the current 84.3632± subject property.

The proposed Concept Plan includes three individual subdistricts:

- Subdistrict 1. This subdistrict has a gross site area of 59.70 acres, with a base zoning district of LI. Additionally, this subdistrict, which was the entire subject property for the prior zoning action by City Council, will continue to be comprised of a maximum of 740,000 square feet of warehouse/office/distribution uses. Finally, pursuant to Section 2.D of the proposed Planned Development, this subdistrict can also be developed with Electronics Manufacturing and Assembly uses.
- Subdistrict 2. This subdistrict has a gross site area of 10.42 acres, with a base zoning district of CC. Subdistrict 2 is located in the northeastern quadrant of the subject site and is intended to be developed with Office, Restaurant, and Retail Uses. The PD Concept Plan shows 200,000 square feet of Office uses and 24,000 square feet of Restaurant uses.
- Subdistrict 3. This subdistrict has a gross site area of 14.23 acres, with a base zoning district of Townhome (TH). Subdistrict 3 is located in the southeastern quadrant of the subject site and is intended to be developed with 128 townhome dwelling units.

A strikeout/underline document comparing the development regulations portion of the prior Planned Development Ordinance (PD-147, Ordinance No. 3875-10-21) is included with this communication. Below is a brief summary of the substantive changes proposed:

- Subdistricts 2 and 3 are being appended to the overall Planned Development, with base zoning districts of CC and TH, respectively, being established. (Section 2.B)
- Height, area, and setback regulations are being established for Subdistrict 3. (Section 2.G)
- Standards for parking Structures are being established. (Section 2.H)
- Prior phasing requirements associated with now-Subdistrict 1 are being eliminated to permit the warehouse/office/distribution uses to be developed in a single phase without conditions. (Section 2.I)
- A minor modification regarding the facades of buildings in Subdistrict 1 is being proposed, which changes "feature architectural entries" to "feature architectural elements." This provides for the same architectural elements in the facade, but removes the requirement for an actual entry/door. (Section 2.J)
- Screening standards for the singular guest parking lot in Subdistrict 3 are being proposed. (Section 2.L)
- Flexibility in parking standards, consistent with other previously approved mixed use developments, is being proposed. (Section 2.M)

The request has been reviewed by the Technical Review Committee.

### **STAFF RECOMMENDATION**

Staff recommends approval.

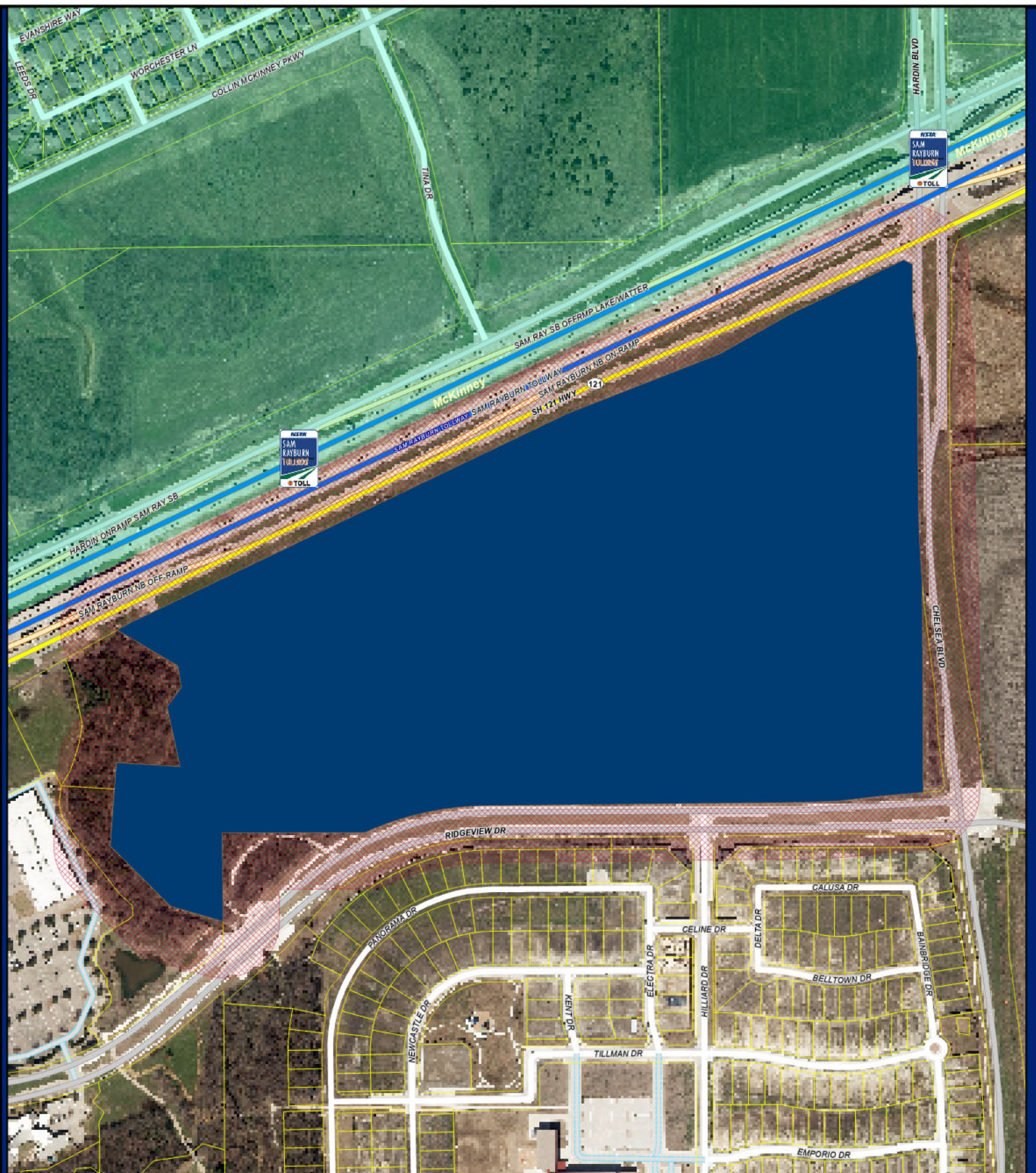
### **MOTION**

*I make a motion to recommend approval of an ordinance to establish a Planned Development Zoning District with a base zoning of Light Industrial, Corridor Commercial, and Townhome and to adopt Development Regulations, Zoning Exhibit, Concept Plan, and Building Elevations, as presented.*

**ATTACHMENT(S)**

Property Notification Map  
Draft Ordinance



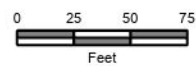


**Public Notification Map**

**121 Chelsea Mixed Use**

### Legend

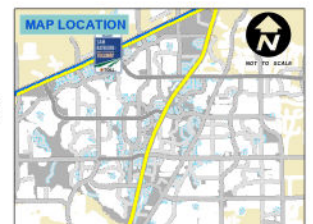
- Subject Property
- Collin CAD Parcels
- 200' Buffer



**Community Development - Planning**

Date Saved: 4/15/2022

NOTE: This map is only for illustration purpose only, please contact the City of Allen Planning & Development Department for specific rules and regulations.



**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, BY AMENDING THE REGULATIONS RELATING TO THE USE AND DEVELOPMENT OF 84.3632+/- ACRES OUT OF THE GEORGE FITZHUGH SURVEY, ABSTRACT NO. 321, AND FRANCIS DOSSER SURVEY, ABSTRACT NO. 280; PRESENTLY LOCATED IN PLANNED DEVELOPMENT “PD” NO. 92 CORRIDOR COMMERCIAL AND PLANNED DEVELOPMENT “PD” NO. 147 FOR LIGHT INDUSTRIAL BY CHANGING THE ZONING AND CREATING PLANNED DEVELOPMENT “PD” NO. 147-A FOR LIGHT INDUSTRIAL “LI,” CORRIDOR COMMERCIAL “CC,” AND TOWNHOME “TH” USES AND ADOPTING DEVELOPMENT REGULATIONS INCLUDING A ZONING EXHIBIT, CONCEPT PLAN, AND BUILDING ELEVATIONS; 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, are hereby further amended by changing the zoning regulations relating to the development and use of 84.3632+/- acres out of the George Fitzhugh Survey, Abstract No. 321, and Francis Dosser Survey, Abstract No. 280, City of Allen, Collin County, Texas, more fully described in Exhibit “ A,” attached hereto and incorporated herein by reference (the “Property”), which is presently zoned as Planned Development “PD” No. 92 Corridor Commercial and Planned Development “PD” No. 147 for Light Industrial uses by changing the zoning and creating Planned Development “PD” No. 147-A for Light Industrial uses subject to the use and development regulations set forth in Section 2 of this Ordinance.

**SECTION 2.** The Property shall be developed and used in accordance with the provisions of the Allen Land Development Code, as amended, (“ALDC”) except to the extent modified by the Development Regulations set forth below:

**A. CONCEPT PLAN:** The Property shall be developed in general conformance with the Concept Plan attached hereto as Exhibit “B” and incorporated herein by reference (the “Concept Plan”) subject to the following:

- (1)** Minor modifications to building locations, lots, and streets/driveways that do not alter the general alignment shown on the Concept Plan may be made at the time of Site Plan approval;



- (2) Improvements to thoroughfares required by a Traffic Impact Analysis shall be provided as shown on the Concept Plan; and
  - (3) Any amendment to the Concept Plan not determined to be a minor amendment shall be processed as a zoning amendment in accordance with the ALDC. An amendment to the Concept Plan that substantially alters the streets and circulation patterns within the Property, the base zoning district(s) of portions of the Property, the designation of permitted uses, and/or increases the density of residential uses, shall not be considered a “minor amendment.”
- B. BASE ZONING AND SUB-DISTRICTS:** For purposes of the development of the Property, the Property is divided into three (3) Subdistricts as shown on the Concept Plan, the Base Zoning District regulations for which shall be as followed except as modified in this Section 2:
  - (1) Subdistrict 1 shall be used and developed in accordance with regulations applicable to a Light Industrial “LI” District;
  - (2) Subdistrict 2 shall be used and developed in accordance with regulations applicable to a Corridor Commercial “CC” District; and
  - (3) Subdistrict 3 shall be used and developed in accordance with regulations applicable to Townhome “TH” District.
- C. BUILDING ELEVATIONS:** Elevations of the light industrial buildings and townhomes attached hereto as Exhibit “C” and incorporated herein by reference (“Building Elevations”), are intended to convey a general range of architectural features that would be incorporated into final design. Buildings shall in general conform with the façade rhythm, façade material changes, and fenestration illustrated on the Building Elevations.
- D. ADDITIONAL PERMITTED USES:** In addition to the purposes for which property within a Light Industrial (“LI”) District may be used and developed, the portion of the Property within Subdistrict 1 may be used and developed for Electronics Manufacturing and Assembly.
- E. PROHIBITED USES:** The Property shall not be developed and used for the following purposes:
  - (1) Concrete batch plant (permanent, non-temporary); and
  - (2) Pawn Shop
- F. HEIGHT, AREA, AND SETBACK REGULATIONS – SUBDISTRICT 1:** Buildings constructed within Subdistrict 1 shall comply with the height, area, and setback regulations of the Light Industrial (LI) District except as follows:
  - (1) Maximum Height:
    - (a) 50 feet, if all portions of the building are located 200 feet or more from property located within any residential zoning district or otherwise developed for any residential purpose;
    - (b) 45 feet, if any portion of the building is located less than 200 feet from property located within a multifamily or townhome residential zoning district or otherwise developed for a multifamily or townhome residential purpose; and

- (c) 35 feet, if any portion of the building is located less than 200 feet from property located within a single-family residential zoning district or otherwise developed for a single-family residential purpose.
- (2) Lots adjacent to Highway 121 shall have a front yard setback of 50 feet.
- (3) Landscape buffer along SH 121: Not less than 30 feet in width, of which not less than 15 feet in width must be unencumbered by any easements.
- (4) Landscape buffer along Ridgeview Drive: Not less than 50 feet in width, of which not less than 15 feet in width must be unencumbered by any easements.

**G. HEIGHT, AREA, AND SETBACK REGULATIONS – SUBDISTRICT 3:** Buildings constructed within Subdistrict 3 shall comply with the height, area, and setback regulations of the Townhome (TH) District except as follows:

- (1) Minimum Lot Area: 1,980 square feet
- (2) Minimum Lot Area/Dwelling Unit: n/a
- (3) Minimum Front Yard: 10 feet
- (4) Minimum Rear Yard: 10 feet
- (5) Minimum Side Yard: 5 feet
- (6) Minimum Side Yard (% of lot width): n/a
- (7) Minimum Corner Lot Side Yard: 15 feet
- (8) Minimum Lot Width: 22 feet
- (9) Minimum Lot Depth: 90 feet
- (10) Minimum Buildable Area: n/a
- (11) Minimum Dwelling Unit Floor Area: 1,200 square feet
- (12) Maximum Lot Coverage: 75%
- (13) Maximum Density: n/a
- (14) Maximum Building Height: 35 feet and three stories
- (15) Maximum Number of Dwelling Units: 129
- (16) Minimum Width of Landscape Buffer Adjacent to Ridgeview Drive and Chelsea Boulevard: 20 feet



**H. DESIGN OF PARKING STRUCTURES:**

- (1) Facades of structured parking garages above the ground floor shall be designed so that vehicles on all parking levels are substantially screened from view from adjacent public street rights-of-way.
- (2) Facades of above-ground parking structures that face streets must be designed and constructed with enhanced architectural treatments.
- (3) When parking structures are located at corners of streets, corner architectural elements such as corner entrance, signage, and glazing shall be incorporated at the corner.
- (4) Parking structures and adjacent sidewalks shall be designed so pedestrians are clearly visible to entering and exiting vehicles.

**I. DENSITY:** Buildings with a cumulative floor area of no more than 740,000 gross square feet may be constructed in Subdistrict 1 and used for purposes permitted within a Light Industrial “LI” Zoning District and Section 2.D. above.

**J. FAÇADE COMPOSITION:** Façades for the buildings constructed in Subdistrict 1 shall be designed and constructed subject to the following architectural concepts:

- (1) All building facades should be designed with an architectural rhythm, which may be expressed by changing materials, or color, or by using design elements such as fenestration, columns or pilasters, or by varying the articulation of portions of the façade.
- (2) Feature architectural elements shall be applied to corners and at intermediate locations on all primary building facades at not less than every 150 linear feet. Architectural elements shall include changes in building materials and other ornamental features. The building corners shall be offset outward or inward from the remaining façade not less than six (6) feet and an additional height up to 20% of the height of the main façade must be applied. Non-opaque Glazing shall cover at least 25% of façade area within 75 linear feet of each feature architectural entry.
- (3) The images portrayed in the Building Elevations are intended to convey a general range of architectural features that would be approved as described in the regulatory text. Approval of final elevations by the Director of Community Development or designee shall be based on application of the text.

**K. SCREENING STANDARDS -SUBDISTRICT 1:** Screening for the Property within Subdistrict 1 shall be provided subject to the following:

- (1) Screening is required to be installed along Ridgeview Drive as shown on the Concept Plan, and shall consist of the following:
  - (a) A sodded berm shall be constructed with a trail or sidewalk within the Right-of-Way or within the trail or sidewalk easements, as necessary;
  - (b) One (1) shade tree with a trunk diameter at the time of planting of not less than four (4) caliper inches measured at six (6) inches above the root ball must be planted within the berm for each thirty (30) feet or portion thereof of the lot's frontage along Ridgeview Drive with the distance between shade trees not to exceed forty (40) feet;

- (c) One (1) ornamental tree with a trunk diameter at the time of planting of not less than three (3) caliper inches measured at six (6) inches above the root ball must be planted with the distance between ornamental trees not to exceed forty (40) feet;
  - (d) One (1) evergreen shrub with a height at the time of planting of not less than thirty-six (36) inches measured from the top of the root ball shall be planted for every four (4) feet or portion along Ridgeview Drive with the distance between evergreen shrubs not to exceed three (3) feet; and
  - (e) A metal fence with masonry columns shall be constructed at the locations shown on the Concept Plan subject to the following:
    - i. The fence shall be not less than six (6) feet nor greater than eight (8) feet in height; and
    - ii. The metal fence shall be constructed of an ornamental metal material with masonry support columns at not greater than forty (40) foot spacing except as approved by the Director of Engineering or designee as necessary to avoid conflicts with utilities, drainage features, or other public facilities.
- (2) Screening is required to be installed along Drive A in the areas shown on the Concept Plan for loading and tractor trailer parking areas for Buildings B and G and shall consist of the following:
- (a) A ten (10) foot masonry wall constructed in accordance with the minimum standards set forth in Section 7.07 of the ALDC;
  - (b) One (1) evergreen shrub with a height at the time of planting of not less than 36-inches measured from the top of the root ball shall be planted for every four (4) feet along the side of the wall facing Drive A with the distance between shrubs not to exceed three (3) feet;
  - (c) A sodded berm shall be constructed at the locations shown on the Concept Plan;
  - (d) One (1) shade tree with a trunk diameter at the time of planting of not less than four (4) caliper inches measured at six (6) inches above the root ball must be planted within the berm for every thirty (30) feet along the side of the wall facing Drive A with the distance between trees not to exceed forty (40) feet along the street frontage; and
  - (e) One (1) ornamental tree with a trunk diameter at the time of planting of not less than four (4) caliper inches measured at six (6) inches above the root ball must be planted within the berm for every thirty (feet) along the side of the wall facing Drive A with the distance between trees not to exceed forty (40) feet along the street frontage.
- (3) Loading and tractor trailer parking areas that are visible from the SH 121 Service Road and located less than 200 feet of the SH 121 right-of-way shall be screened as follows:
- (a) A six (6) foot masonry wall constructed in accordance with the minimum standards set forth in the ALDC;
  - (b) One (1) evergreen shrub with a height at the time of planting of not less than 36-inches measured from the top of the root ball shall be planted for every four (4) feet along the side of the wall facing SH 121; and

- (c) A sodded berm shall be constructed with a trail or sidewalk within the Right-of-Way or within trail or sidewalk easements, as necessary, with at least one (1) shade tree with a trunk diameter at the time of planting of not less than three (3) caliper inches measured six (6) inches above the root ball and one (1) ornamental tree shall be planted along the street frontage on an average distance between trees of not less 30 feet.
- (4) Screening of dock doors shall not be required if they face internally and or do not directly face SH 121, Chelsea Boulevard, or Ridgeview Drive.
- (5) Mechanical and Service Screening shall be required as follows:
  - (a) All buildings shall be designed such that no mechanical equipment (HVAC, etc.) is visible from the public right-of-way or open space, whether the equipment is located on the ground, exterior wall, or roof; and
  - (b) The screening material required by paragraph 1, above, shall be raised at least one foot above the top of the mechanical equipment.
- (6) Sodded berms required to be constructed pursuant to this Section 2.I. shall:
  - (a) Have a maximum slope of 3:1;
  - (b) Have a minimum height of three (3) feet except at locations where a trail or sidewalk intersects with and/or crosses through the berm; and
  - (c) Have a minimum width of thirty (30) feet.

**L. SCREENING STANDARDS -SUBDISTRICT 3:** Screening for the Property within Subdistrict 3 shall be provided subject to the following:

- (1) Screening shall not be required for lots or open space fronting Ridgeview Drive or Chelsea Boulevard.
- (2) Screening shall be installed in locations where parking lots are adjacent to Chelsea Boulevard, and shall consist of one (1) evergreen shrub with a height at the time of planting of not less than 36-inches measured from the top of the root ball shall be planted with the distance between shrubs not to exceed thirty-six (36) inches.

**M. PARKING STANDARDS:**

- (1) **Parking Reduction.** The Director of Community Development and Director of Engineering may jointly reduce the required number of off-street parking spaces if such reduction is supported by the findings of a parking study prepared by a professional engineer or transportation planner which demonstrates need, reviews industry standards, and proposes a modification that will not result in a parking deficiency for the proposed uses for the portion of the Property to be served by the related parking areas.
- (2) **Cross Access.** A perpetual cross-access easement for vehicle and pedestrian travel as well as cross-easements for parking, both at-grade and below-grade, shall be granted between and among all contiguous lots within the Property. The cross-access easement may be provided by plat or separate instrument.

- (3) **S.H. 121 Frontage.** Parking is permitted within the front yard setback adjacent to S.H. 121 as shown on the Concept Plan.
- (4) **On-Street Parking.** On-street parking may be counted towards required off-street parking requirements, provided that these on-street spaces are located no greater than 800 feet from the building/use for which the on-street spaces are being counted.
- (5) **Off-Street Parking Requirements.** Off-street parking for non-shared uses shall be provided in compliance with Section 7.04 of the ALDC, as amended except as provided in this Section 2.M.(5).
  - (a) The following minimum off-street parking requirements shall apply for the following uses:
    - i. Subdistrict 1:
      - (1) Warehouse Area: 1 space per 2,000 square feet.
      - (2) Office Area: 1 space per 300 square feet.
    - ii. Subdistrict 2:
      - (1) Office: 2.5 spaces per 1,000 square feet.
      - (2) Restaurant: 1 space per 100 square feet.
    - iii. Subdistrict 3:
      - (1) 2 spaces for each Single Family (detached) dwelling unit.
      - (2) 1 visitor parking space shall be constructed for every 2 dwelling units.
  - (b) The Director of Community Development is authorized to approve a reduction in the number of off-street parking spaces required by this Section 2.M.(5) based on the findings of a Parking Demand Study prepared by a licensed professional engineer.
- (6) **Shared Parking.**
  - (a) The Director of Community Development and the Director of Engineering shall have the authority to reduce the number off-street parking spaces required by Section 7.04 of the ALDC, as amended, based on the findings of a Shared Parking Study conducting using independently collected empirical data or use data by an acceptable industry-standard resource.
  - (b) Off-street parking requirements may be satisfied through the use of shared parking agreements, provided that:
    - i. The parking lot or garage containing the shared spaces is located no greater than 800 feet from the building/use for which the off-street spaces are being counted;

- ii. The shared parking agreement provides for an easement establishing a perpetual use of the off-site parking spaces by the building/use for which the off-street spaces are being counted;
- iii. The shared-parking area(s) identified in a shared parking agreement shall be limited to areas where the users (e.g., owners, tenants, employees, customers, and/or clients) sharing the parking are open to the public during different times of the day with minimal overlap in business hours;
- iv. The shared parking agreement must be recorded in the Official Public Records of Collin County, Texas, after execution; and
- v. Prior to execution and recording, the form of the shared parking agreement will be reviewed and approved by the City Attorney to determine if it conforms to the requirements set forth above and in the ALDC, as modified herein

N. **STREETSCAPE STANDARDS:** The following streetscape standards shall apply to all private drives within the Property except service drives, alleys, and fire lanes:

**(1) Planting Standards.**

- (a) Except where a different standard is required by this Ordinance, required trees at time of planting shall have a trunk diameter of not less than three (3) caliper inches measured six (6) inches above the root ball;
- (b) Trees in the landscape areas along streets shall be from the list of recommended trees in the ALDC unless other species are approved by the City Forester; and
- (c) Trees planted along streets in the pedestrian amenity zone and/or median shall include a root barrier between the tree and back-of-curb.

**(2) Street Trees.**

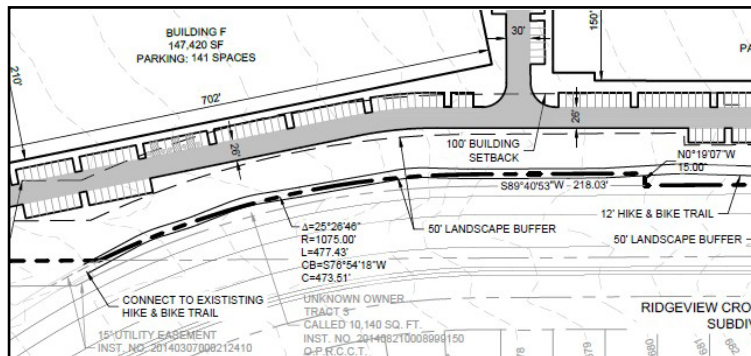
- (a) The Director of Parks and Recreation shall have the discretion to approve the modification of the spacing of street trees provided the number of trees actually planted is not less than the number of trees that would otherwise be required with the typical spacing herein.
- (b) Street trees shall be planted no less than four feet behind the curb line.
- (c) Street trees shall be planted in curb extensions (bump-outs into the parking lane) as long as such spacing also complies with Sections 2.N.(2)(f) and 2.N.(2)(g) below.
- (d) Each street tree shall be planted in a planting area of not less than 36 square feet; provided, however, the area of the tree well may have no dimension of less than five (5) feet in length and an area of less than 25 square feet.
- (e) Trees installed in street well locations shall be planted with structural soil designed by a Landscape Architect for the specific conditions or other approved system to remediate reduced planting areas.
- (f) Tree wells must be irrigated in accordance with the City of Allen Water Conservation Code and include a connecting subsurface drainage system.

(g) Root barriers shall be installed on the sides of tree wells at the time of planting.

- (3) **Sidewalks.** Unless otherwise identified on the Concept Plan, sidewalks constructed on the Property shall be not less than five (5) feet wide.

O. **MANDATORY TRAILS AND TRAIL IMPROVEMENTS:** The following public trails and public trail system improvements and related public trail easements (collectively, the “Mandatory Trails”) shall be constructed and conveyed to the City for future maintenance:

- (1) **Ridgeview Drive Trail.** A hike and bike trail not less the twelve (12) feet wide shall be constructed meandering within the Ridgeview Drive right-of-way or trail easement as necessary, and a public trail easement not less than twenty (20) feet wide shall be dedicated spanning from Chelsea Boulevard to the existing Ridgeview Drive Trail near Cottonwood Creek (the “Ridgeview Trail”). The Director of Parks & Recreation may authorize the width of the trail easement to be reduced to a minimum of fifteen (15) feet for the segment depicted below that meanders between the Ridgeview Drive right-of-way and the Property. The segment of the Ridgeview Trail adjacent to Subdistrict 1 shall be completed prior to the issuance of the first certificate of occupancy for a building on the Property. The segment of the Ridgeview Trail adjacent to Subdistrict 3 shall be completed prior to the first certificate of occupancy for any building in Subdistrict 3 adjacent to Ridgeview Drive.



- (2) **Cottonwood Creek Trail.** A 12-foot wide hike and bike trail meandering along Cottonwood Creek in the approximate location shown on the Concept Plan (the “Cottonwood Creek Trail”). The Cottonwood Creek Trail shall be completed prior to the issuance of the first certificate of occupancy for a building west of Drive B on the Property.
- (3) **Chelsea Boulevard Trail.** A 10-foot wide trail meandering along Chelsea Boulevard within the right-of-way or trail easement as necessary (the “Chelsea Trail”). Chelsea Trail shall be completed prior to the certificate of occupancy for adjacent development.
- (4) **Trail Easements.** In locations where a trail is not to be located within a public street right-of-way, a trail easement not less than 20-feet wide shall be conveyed to the City upon completion of construction of the trail either at the time of approval of the final plat of the portion of the Property where the trail segment is located or by separate instrument approved as to form by the City Attorney; provided, however, the width of the trail easement may be reduced in locations where a 20-foot easement cannot be conveyed because of existing topography, flood plain, or other site limitations.

- (5) **Final Trail Location.** The final location of required trails shall be determined at the time of final platting and approval in the construction plans for the trails as approved by the Director of Engineering, Director of Parks and Recreation, and Director of Community Development.

**P. TREE MITIGATION:** Development of the Property shall comply with Section 7.06 of the ALDC, except as follows:

- (1) Not including replacement trees, negative tree credits assessed for the removal of Hackberry trees and Sugarberry trees will be reduced by 25%;
- (2) Negative tree credits will not be assessed for a tree that is removed following the City arborist's determination the tree is at the end of its life, diseased, dead or dying per a tree condition survey;
- (3) Negative tree credits will not be assessed for the removal of Siberian Elm (*Ulmus pumila*) or hybridized elms of Siberian Elm following the City arborist's determination, or Chinaberry trees (*Melia azedarach*); and
- (4) Tree credits will be provided for street trees in accordance with ALDC Section 7.06.3.3.

**Q. FLEXIBLE DESIGN STANDARDS:**

- (1) Exceptions to the development standards relating to building design or construction set forth in these Development Regulations may be granted by the Director of Community Development for the purpose of improving performance in energy and water use and consumption, carbon dioxide emissions reduction, and improved indoor environmental quality. The standards used for best practices in sustainable design and the measures used to describe a building's environmental performance shall follow those principles, practices, and standards set forth by any of the following organizations:
  - (a) U.S. Green Building Council (USGBC) – Leadership in Energy and Environmental Design (LEED); or
  - (b) EPA and U.S. Department of Energy – Energy Star for Homes and Businesses; or
  - (c) The Sustainable Sites Initiatives (SITES); or
  - (d) Congress for the New Urbanism (CNU); or
  - (e) BRE Environmental Assessment Method (BREEAM).
- (2) A request for an exception to the building design standards of these Development Regulations shall be submitted and approved before implementation by the Director of Community Development, Director of Engineering, and Chief Building Official, who shall have the authority, but not the obligation, to approve the alternative design(s) without being processed as a zoning amendment in accordance with the ALDC provided such design alternatives are generally consistent with the intent of these Development Regulations and such exception does not:
  - (a) result in the approval of a land use not otherwise authorized by these Development Regulations or the ALDC;
  - (b) increase the allowable intensity or density of any land use; and

- (c) effectively result in an amendment to these Development Regulations or the ALDC.

**R. SITE PLAN AND CONCEPT PLAN ADMINISTRATION:**

**(1) Site Plan Review Process.**

- (a) **Site Plan Details.** Site plan details to be provided on a site plan shall comply with Section 6.05.3 of the ALDC.
- (b) **Site Plan Review Standards.** The Director of Community Development is authorized to approve a site plan if such site plan conforms to the standards set forth in these Development Regulations and the ALDC.
- (c) **Amendments to Approved Site Plans.** The Director of Community Development is authorized to approve changes to approved site plans that comply with the provisions in these Development Regulations.

**(2) Amendments to the Concept Plan.**

- (a) **Minor Modifications.** Except as otherwise provided in these Development Regulations, the Director of Community Development shall have the authority to administratively approve minor changes to the Concept Plan, Site Plan or Elevations. “Minor modifications” include changes that:
  - i. Do not materially change the circulation on the Property;
  - ii. Do not amend the overall area between different Subdistricts by more than 15%;
  - iii. Revise or relocate mandatory open space provided the amount of open space satisfies the amount of open space area required by this Section 2 and the ALDC;
  - iv. Do not move a street more than 100 feet from the location shown on the Concept Plan and the move does not result in a change in the general circulation plan set forth on the Concept Plan;
  - v. Relocate required trails provided pedestrian and bike connectivity is provided as intended by the Concept Plan; and
  - vi. Reconfigure size, location, or change in use of buildings or lots shown on the Concept Plan provided compliance with use regulations and the screening requirements of loading areas set forth in Section 2.K. is maintained; and
  - vii. Change façade composition from elevations provided but follow guidelines set forth herein.
- (b) **Major Modifications.** Changes to the Concept Plan or Site Plan that do not qualify as Minor Modifications shall be processed as an amendment to a zoning ordinance pursuant to the ALDC.



- (c) ***Street Modifications.*** The Director of Community Development and Director of Engineering may, but shall not be obligated to, authorize the Drive A and Drive B alignments as shown on the Concept Plan to shift in location up to 100 feet in either direction at the time of final platting of the Property without an amendment to the Concept Plan being required provided any minimum drive and/or intersection separation distances are maintained.
- (d) ***Modifications Mandated by Law.*** Any modification to a street location shown on the Concept Plan that is necessitated by a Federal, State, or Local action may be administratively approved by the Director of Engineering, including, but not limited to, the intersection of Drive A and/or Drive B with the S.H. 121 service road.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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 7.** This Ordinance shall take effect upon (i) passage of this Ordinance and publication in accordance with the provisions of the Charter of the City of Allen and (ii) delivery to the City Secretary of a copy of a deed that has been recorded in the Official Public Records of Collin County, Texas, conveying the Property to Stillwater Capital Investments, LLC or an affiliated business entity owned and/or controlled by Stillwater Capital Investments, LLC, and it is accordingly so ordained; provided, however, if this Ordinance does not become effective on or before December 31, 2021, the acts of the City Council in approving this Ordinance shall be deemed null and void and this Ordinance shall not take effect.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 24<sup>TH</sup> DAY OF MAY 2021.**

**APPROVED:**

\_\_\_\_\_  
**Kenneth M. Fulk, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**Peter G. Smith, CITY ATTORNEY**  
(kbl:4/24/2022:129239)

\_\_\_\_\_  
**Shelley B. George, TRMC, CITY SECRETARY**

ZONING DESCRIPTION

BEING a tract of land situated in the George Fitzhugh Survey, Abstract No. 321 and Francis Dosser Survey, Abstract No. 280, City of Allen, Collin County, Texas and being a part of a called 88.870 acre tract of land described in Special Warranty Deed to MCLANE COMPANY, INC. recorded in Instrument No. 20140821000899150, Official Public Records, Collin County, Texas, and being all of a called 8.000 acre tract of land described in Special Warranty Deed to 121 & Chelsea, L.P. recorded in Instrument No. 20071212001652280, of said Official Public Records and being more particularly described as follows:

COMMENCING at a 1/2" iron rod with yellow plastic cap stamped "JBI" found for the northwest corner of Lot 2X, Block B, Starcreek Commercial, an addition to the City of Allen according to the plat recorded in Instrument No. 20080613010002210, of said Official Public Records and being in the southeast right-of-way line of the northbound service road of State Highway 121 (a variable width right-of-way);

THENCE with said southeast right-of-way line, North 61°18'13" East, a distance of 211.38 feet to a point for the north corner of said Lot 2X and being the POINT OF BEGINNING;

THENCE continuing with said southeast right-of-way line, the following courses and distances:

North 61°18'13" East, a distance of 55.17 feet to a point for corner;  
North 64°36'21" East, a distance of 1705.64 feet to a point for corner;  
North 68°55'58" East, a distance of 578.75 feet to a 5/8" iron rod found for corner;  
North 60°54'36" East, passing a 1/2" iron rod found for the west corner of said 8.000 acre tract at a distance of 60.32 feet and continuing in all a distance of 289.27 feet to a point for corner;  
North 64°36'21" East, a distance of 439.74 feet to a point for corner at the north end of a corner clip of said southeast right-of-way line of State Highway 121 and west right-of-way line of Chelsea Boulevard (a variable width right-of-way);

THENCE with said corner clip, South 63°09'15" East, a distance of 29.69 feet to a point for corner at the south end of said corner clip;

THENCE with said west right-of-way line of Chelsea Boulevard, the following courses and distances:

South 00°45'48" East, a distance of 225.09 feet to a 5/8" iron rod found for corner;  
South 08°09'33" East, a distance of 151.33 feet to a point for corner;  
South 00°33'52" East, passing a "X" cut in concrete found for the southeast corner of said 8.000 acre tract at a distance of 311.15 feet and continuing in all a distance of 398.30 feet to a point for corner found at the beginning of a tangent curve to the left with a radius of 4,060.00 feet, a central angle of 04°30'57", and a chord bearing and distance of South 02°49'21" East, 319.92 feet;  
In an easterly direction, with said tangent curve to the left, an arc distance of 320.00 feet to a 1/2" iron rod found for the north corner of a called 0.672 acre tract of land described in Special Warranty Deed to Southern One Twenty One Investments, Ltd. recorded in Instrument No. 20130417000515380, of said Official Public Records;

THENCE with the west line of said 0.672 acre tract, South 00°40'33" East, a distance of 756.58 feet to a point for the southwest corner of said 0.672 acre tract and being in the north right-of-way line of Ridgeview Drive (a variable width right-of-way);

THENCE with said north right-of-way line, the following courses and distances:

South 87°17'12" West, a distance of 143.99 feet to a 5/8" iron rod found for corner;  
South 83°28'22" West, a distance of 150.33 feet to a point for corner found at the beginning of a non-tangent curve to the right with a radius of 4,940.00 feet, a central angle of 02°22'10", and a chord bearing and distance of South 88°29'48" West, 204.28 feet;  
In a northerly direction, with said non-tangent curve to the right, an arc distance of 204.29 feet to a point for corner;  
South 89°40'53" West, a distance of 629.97 feet to a point for the southeast corner of "Tract 3" a tract of land described in Special Warranty Deed, Instrument No. 20140821000899150, of said Official Public Records;

NOTES

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

THENCE with the east and north lines of said Tract 3, the following courses and distances:

North 0°19'07" West, a distance of 15.00 feet to a point for corner;  
South 89°40'53" West, a distance of 218.04 feet to a point at the beginning of a non-tangent curve to the left having a central angle of 25°26'46", a radius of 1075.00 feet, a chord bearing and distance of South 76°54'18" West, 473.51 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 477.43 feet to a point for corner in the north line of a called 0.300 acre tract of land described in Correction Special Warranty Deed to Southern One Twenty One Investments, Ltd. recorded in Instrument No. 20140307000212410, of said Official Public Records;

THENCE with the north line of said 0.300 acre tract, South 89°38'55" West, passing the northwest corner of said 0.300 acre tract at a distance of 414.73, continuing with said north right-of-way line of Ridgeview Drive, in all a distance of 493.92 feet to a 3/8" iron rod found for corner;

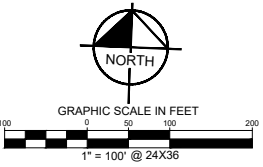
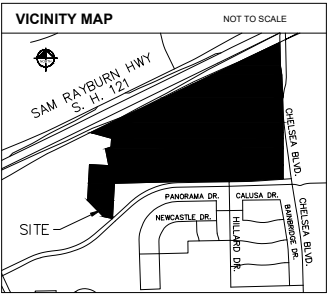
THENCE continuing with said north right-of-way line, South 0°50'06" East, a distance of 333.15 feet to a point for the most easterly northeast corner of Lot 1X, Block B, Starcreek Commercial, an addition to the City of Allen, according to the plat recorded in Volume Q, Page 643, Plat Records, Collin County, Texas;

THENCE departing said north right-of-way line and with the east lines of said Lot 1X and said 2X, the following courses and distances:

North 59°55'16" West, a distance of 24.63 feet to a point for corner;  
North 73°47'36" West, a distance of 155.68 feet to a point for corner;  
North 45°09'10" West, a distance of 301.39 feet to a point for corner;  
North 4°12'26" East, passing the south corner of said Lot 2X at a distance of 202.21 feet, continuing in all a distance of 294.92 feet to a point for corner;  
South 86°44'51" East, a distance of 225.26 feet to a point for corner;  
North 12°45'33" West, a distance of 215.63 feet to a point for corner;  
North 36°26'37" East, a distance of 65.42 feet to a point for corner;  
North 9°29'01" West, a distance of 77.94 feet to a point for corner;  
North 59°48'58" West, a distance of 249.30 feet to the POINT OF BEGINNING and containing 84.3632 acres or 3,674.863 square feet of land.

LEGEND:

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCING  
IRF = IRON ROD FOUND  
IRFC = IRON ROD WITH PLASTIC CAP STAMPED FOUND  
XF = "X" CUT IN CONCRETE FOUND  
VOL. = VOLUME  
PG. = PAGE  
INST. NO. = INSTRUMENT NUMBER  
P.R.C.C.T. = PLAT RECORDS OF COLLIN COUNTY, TEXAS  
O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS



N61°18'13"E  
55.17'  
N7104871.58  
E2527665.13  
P.O.B.

P.O.C.  
1/2" IRFC "JBI"

STARCRECK COMMERCIAL  
LOT 2X, BLOCK B  
INST. NO. 20080613010002210  
O.P.R.C.C.T.

ZONED "PD-42 CC" - PLANNED DEVELOPMENT CORRIDOR COMMERCIAL

S86°44'51"E 225.26'

92.71'  
N4°12'26"E 294.92'

202.21'  
N4°12'26"E 294.92'

3/8" IRF

LOT 1, BLOCK B  
STARCRECK COMMERCIAL  
VOL. Q, PG. 643  
P.R.C.C.T.

ZONED "PD-42 CC" - PLANNED DEVELOPMENT CORRIDOR COMMERCIAL

N9°29'01"W 77.94'  
N36°26'37"E 85.42'

N12°45'33"W 215.63'

S86°44'51"E 225.26'

92.71'  
N4°12'26"E 294.92'

202.21'  
N4°12'26"E 294.92'

3/8" IRF

LOT 1X, BLOCK B  
STARCRECK COMMERCIAL  
VOL. Q, PG. 643  
P.R.C.C.T.

ZONED "PD-42 CC" - PLANNED DEVELOPMENT CORRIDOR COMMERCIAL

Δ=25°26'46"  
R=1075.00'  
L=477.43'  
CB=S76°54'18"W  
C=473.51'

S89°38'55"W 493.92'

414.73'

333.15'

N73°47'36"W 155.68'

N59°55'16"W 24.63'

UNKNOWN OWNER  
TRACT 3  
CALLED 18.140 SQ. FT.  
INST. NO. 20140821000899150  
O.P.R.C.C.T.

ZONED "PD-42 CC" - PLANNED DEVELOPMENT CORRIDOR COMMERCIAL

S89°40'53"W 218.04'

N0°19'07"W 15.00'

557.67'

589°40'53"W 829.97'

59.7157 ACRES  
2,601,217 SQ. FT.

PART OF CALLED 88.870 ACRES  
MCLANE COMPANY, INC.  
INST. NO. 20140821000899150  
O.P.R.C.C.T.

ZONED "PD-42 CC" - PLANNED DEVELOPMENT CORRIDOR COMMERCIAL

24.6475 ACRES  
1,073,646 SQ. FT.

PART OF CALLED 88.870 ACRES  
MCLANE COMPANY, INC.  
INST. NO. 20140821000899150  
O.P.R.C.C.T.

ZONED "PD-42 CC" - PLANNED DEVELOPMENT CORRIDOR COMMERCIAL

Δ=31°48'57"  
R=203.00'  
L=112.72'  
CB=N15°34'05"E  
C=111.28'

N0°20'23"W 137.63'

272.30'

Δ=2°22'10"  
R=4940.00'  
L=204.29'  
CB=S88°29'48"W  
C=204.28'

S87°17'12"W 143.99'

S83°28'22"W 150.33'

1/2" IRF

Δ=4°30'57"  
R=4060.00'  
L=320.00'  
CB=S2°49'21"E  
C=319.92'

RIDGEVIEW DR.  
(A VARIABLE WIDTH RIGHT-OF-WAY)

557.67'

589°40'53"W 829.97'

272.30'

Δ=31°48'57"  
R=203.00'  
L=112.72'  
CB=N15°34'05"E  
C=111.28'

N0°20'23"W 137.63'

272.30'

RIDGEVIEW DR.  
(A VARIABLE WIDTH RIGHT-OF-WAY)

557.67'

589°40'53"W 829.97'

272.30'

Δ=31°48'57"  
R=203.00'  
L=112.72'  
CB=N15°34'05"E  
C=111.28'

N0°20'23"W 137.63'

272.30'

24.6475 ACRES  
1,073,646 SQ. FT.

PART OF CALLED 88.870 ACRES  
MCLANE COMPANY, INC.  
INST. NO. 20140821000899150  
O.P.R.C.C.T.

ZONED "PD-42 CC" - PLANNED DEVELOPMENT CORRIDOR COMMERCIAL

Δ=31°48'57"  
R=203.00'  
L=112.72'  
CB=N15°34'05"E  
C=111.28'

N0°20'23"W 137.63'

272.30'

Δ=2°22'10"  
R=4940.00'  
L=204.29'  
CB=S88°29'48"W  
C=204.28'

S87°17'12"W 143.99'

S83°28'22"W 150.33'

1/2" IRF

Δ=4°30'57"  
R=4060.00'  
L=320.00'  
CB=S2°49'21"E  
C=319.92'

1/2" IRF

Δ=4°30'57"  
R=4060.00'  
L=320.00'  
CB=S2°49'21"E  
C=319.92'

1/2" IRF

PD/PD AMENDMENT  
ZONING EXHIBIT  
STILLWATER ALLEN

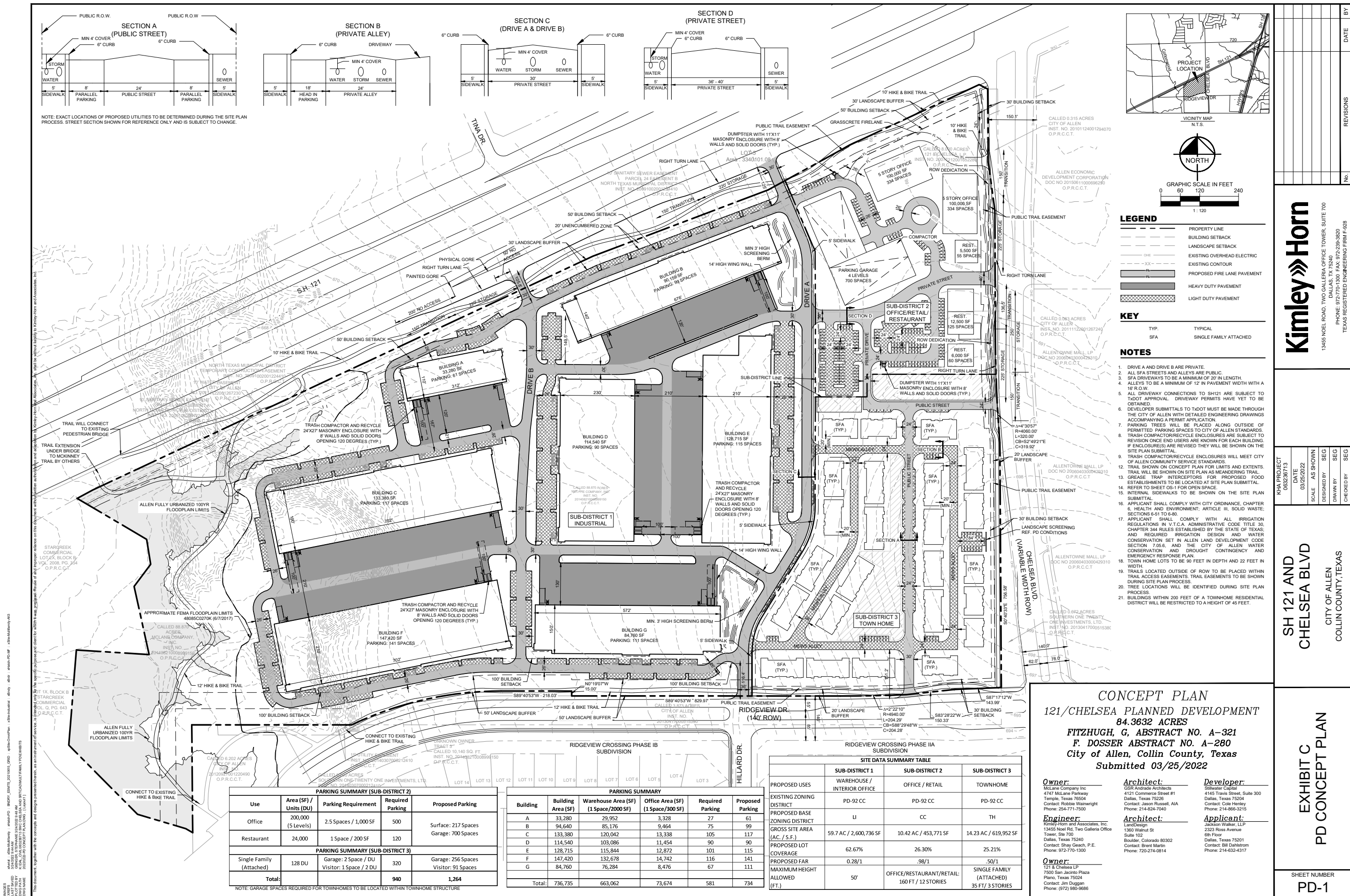
84.3632 ACRES  
GEORGE FITZHUGH SURVEY, ABSTRACT NO. 321  
FRANCIS DOSSER SURVEY, ABSTRACT NO. 280  
CITY OF ALLEN, COLLIN COUNTY, TEXAS

Kimley»Horn

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

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MGB	JAD	OCT. 2021	063236713	1 OF 1

DATE: 10/21/2020 10:02:15 AM PLotted BY: BLANKSHIP, MATTHEW 10/21/2020 10:02:15 AM

















## CONSTRUCTION ASSEMBLIES:

**T** THE FOLLOWING KEYNOTES  
REFERENCE THE SYMBOLS AS  
SHOWN ON PLANS

- A. ROOF CONSTRUCTION:  
COMPOSITION ROOF SHINGLES ON UNDERLAYMENT ON ROOF SHEATHING ON ROOF FRAMING MEMBERS (AS NOTED ON FRAMING PLANS).  
CEILING: 5/8" GYPSUM BOARD WITH INSULATION ABOVE.
- B1. TYPICAL SIDING WALL CONSTRUCTION:  
SIDING ON WATER RESISTANT BARRIER ON EXTERIOR WALL SHEATHING ON 2x4 OR 2x6 STUDS, 16" O.C. W/ INSULATION IN CAVITIES.  
INTERIOR: 1/2" GYPSUM BOARD.
- B2. TYPICAL BRICK WALL CONSTR:  
BRICK (INSTALLED PER MFR'S SPECS.) OVER WATER RESISTANT BARRIER ON EXTERIOR WALL SHEATHING ON 2x4 OR 2x6 STUDS, 16" O.C. W/ INSULATION IN CAVITIES.  
INTERIOR: 1/2" GYPSUM BOARD.
- C. TYPICAL FLOOR CONSTRUCTION:  
FINISHED FLOORING ON 3/4" FLOOR SHEATHING ON FLOOR FRAMING AS NOTED ON STRUCTURAL DRAWINGS.  
WALL FOR CEMENT: 1/2" GYPSUM BOARD.
- D. CONCRETE & GAB CONSTRUCTION:  
CONCRETE SLAB OVER 6" MIN. POLYETHYLENE VAPOR BARRIER OVER 4" MINIMUM GRANULAR FILL.

**GENERAL FLOOR  
PLAN NOTES:**

- ALL UNDIMENSIONED PARTITIONS (P-F)
- ARE 3 1/2" ROUGH UNLESS NOTED OTHERWISE.
- ALL EXTERIOR DIMENSIONS ARE TO FACE OF STUDS UNLESS NOTED OTHERWISE.
- ALL ANGLED PARTITIONS ARE 45 DEGREES UNLESS OTHERWISE NOTED.
- WINDOW SUPPLIER TO VERIFY AT LEAST ONE WINDOW IN ALL BEDROOMS MEETS ALL EMERGENCY EGRESS REQUIREMENTS.
- ALL ELECTRICAL AND MECHANICAL EQUIPMENT, METER LOCATIONS, ETC. SHALL BE DETERMINED BY ELECTRICAL AND ELECTRICAL CONTRACTORS.
- CONTRACTORS SHALL COORDINATE WITH BUILDER PRIOR TO RELOCATION OF EQUIPMENT AND METERS.
- ALL TRUSSES TO BEAR ON EXTERIOR WALLS AND/OR GATHER TRUSS UNLESS NOTED OTHERWISE.
- TRUSS MFG. TO SIZE MEMBERS, FASTENERS, HANGERS & SET SPACING FOR ALL TRUSSES.
- FOR ADDITIONAL INFORMATION SEE GENERAL NOTES AND DETAILS.
- TYPICAL WINDOW HEAD HEIGHTS SHALL BE 8'-0" A.F.F. (U.O.W.) W/ 9'-1 1/8" PLATE AND 8'-0" A.F.F. (U.O.W.) W/ 8'-1 1/8" PLATE

<b>ISSUE DATE:</b>	
<b>REVISIONS</b>	

THESE PLANS AND SPECIFICATIONS ARE PROTECTED UNDER  
FEDERAL COPYRIGHT LAWS TO THE DESIGN MAINTENANCE

**Urban Trail**  
North Richland Hills, TX  
**Cadence Homes**  
Dallas, TX

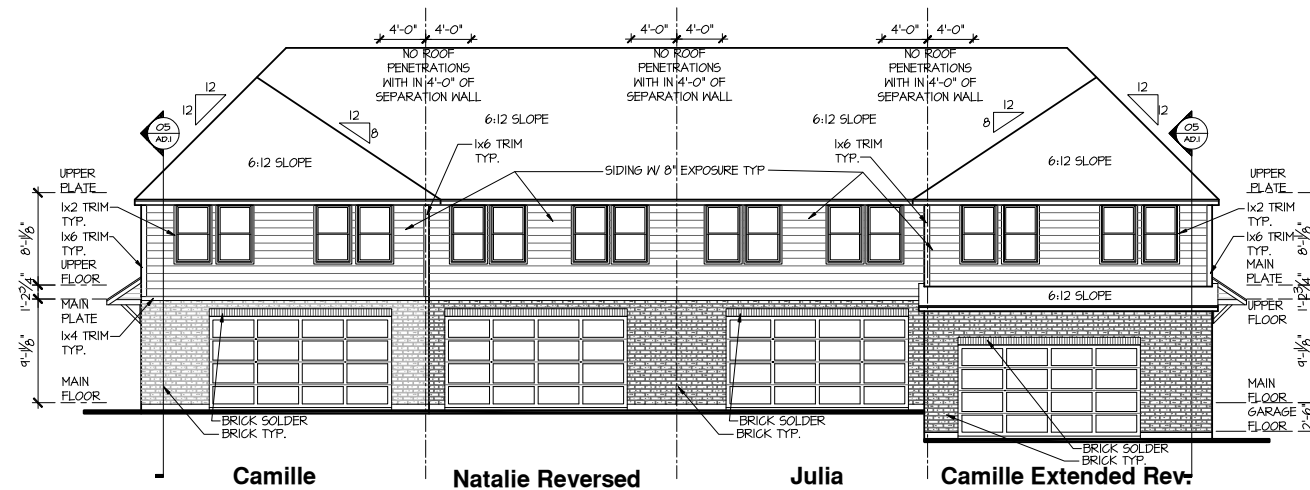


www.bsbdesign.com  
17855 Dallas Parkway, Suite 105  
Dallas, Texas 75287  
972 720 1778

**JOB NO:** SF200176      **PROJ MGR:** GE  
**DRAWN:** AP/CR      **CHECKED:** GE

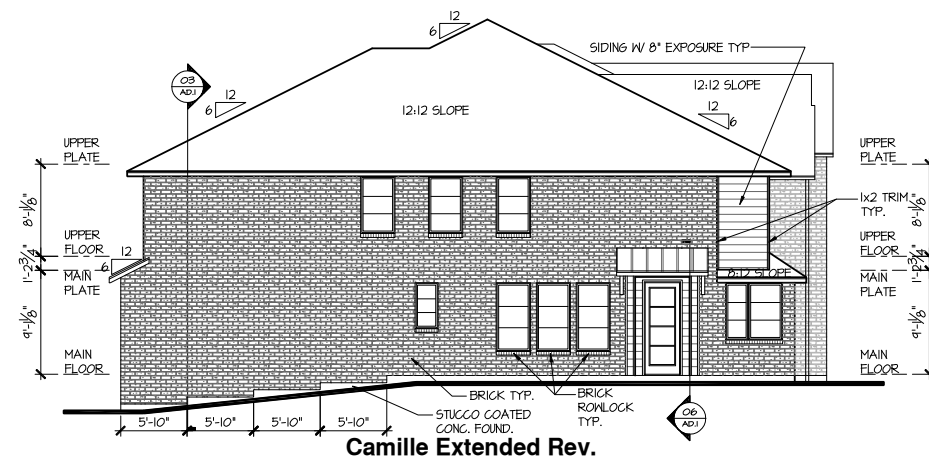
EXTERIOR ELEVATIONS

Urban Trail  
**AB1.4**



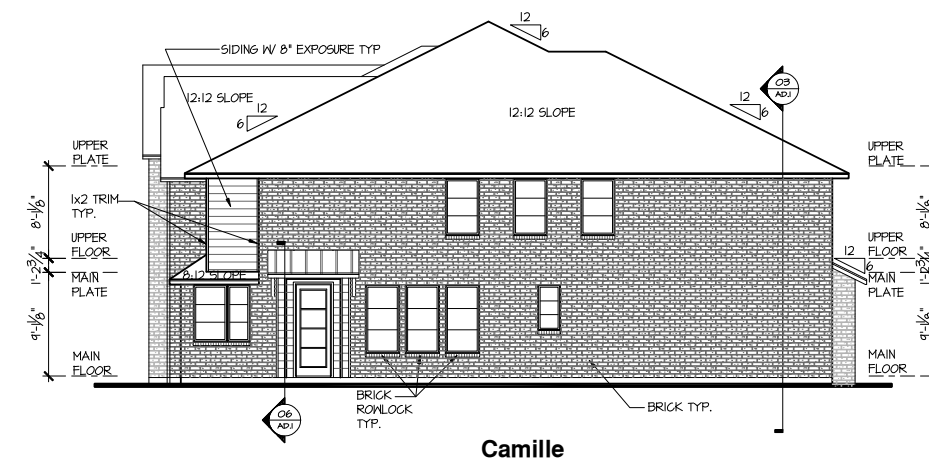
### Building 13 (4 Plex) Rear Elevation

SCALE: 1/8"=1'-0" (22x34) 1/6"=1'-0" (11x17)



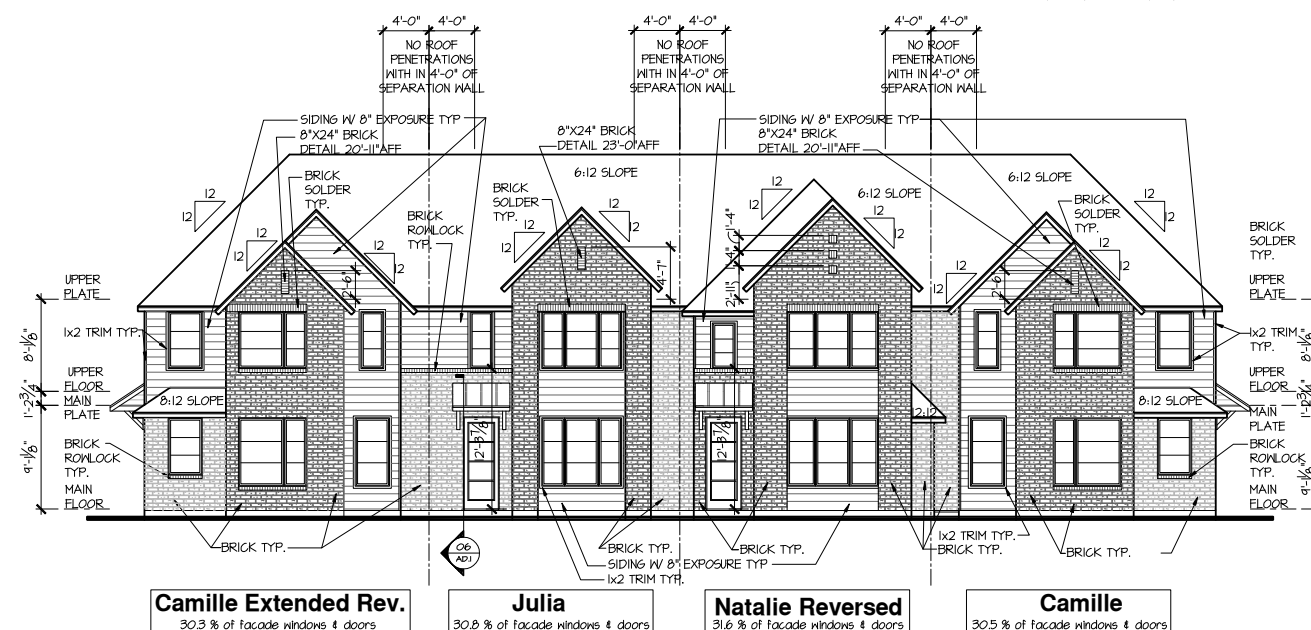
## Building 13 (4 Plex) Left Elevation

SCALE: 1/8"=1'-0" (22x34) 1/6"=1'-0" (11x17)



### Building 13 (4 Plex) Right Elevation

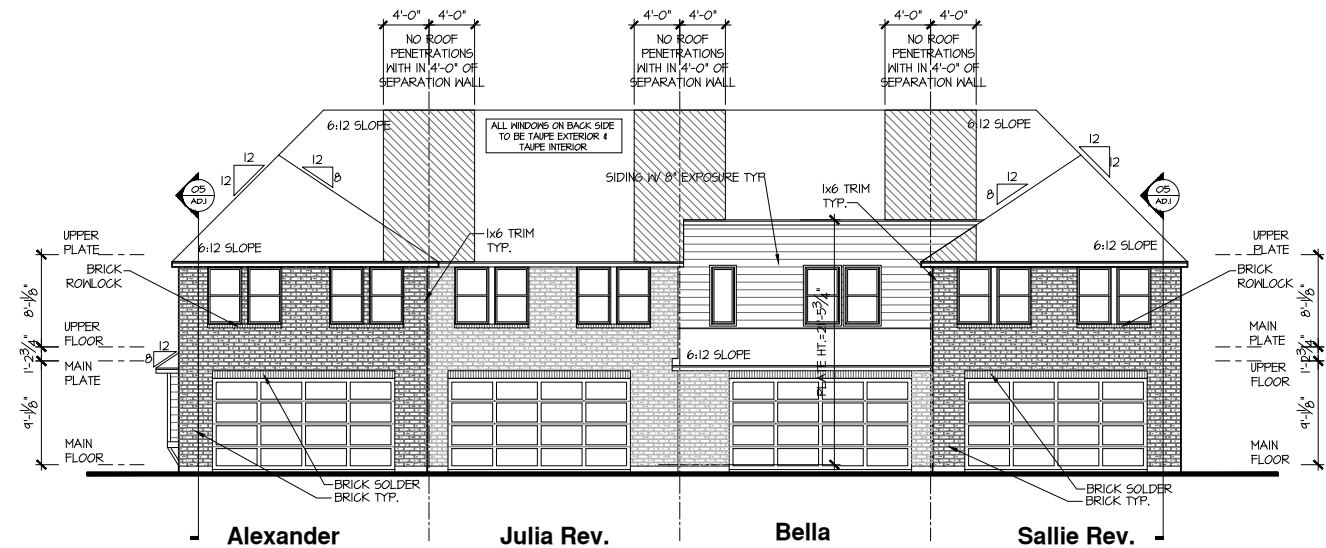
SCALE: 1/8"=1'-0" (22x34) 1/6"=1'-0" (11x17)



## Building 13 (4 Plex) Front Elevation

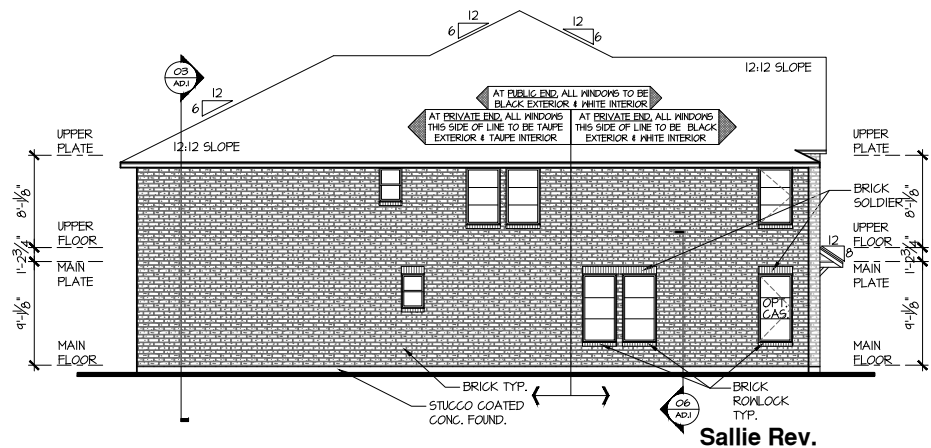
SCALE: 1/8"=1'-0" (22x34) 1/6"=1'-0" (11x17)





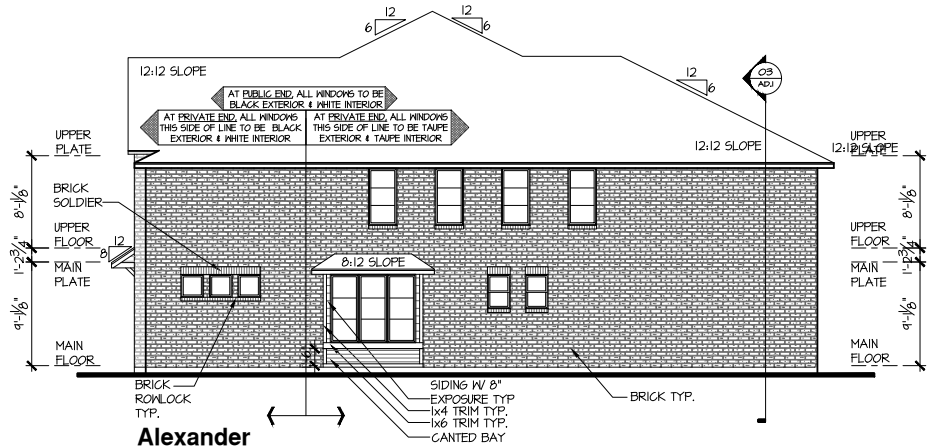
Building 1 (4 Plex) Rear Elevation

SCALE: 1/8"=1'-0" (22x34) 1/6"=1'-0" (11x17)



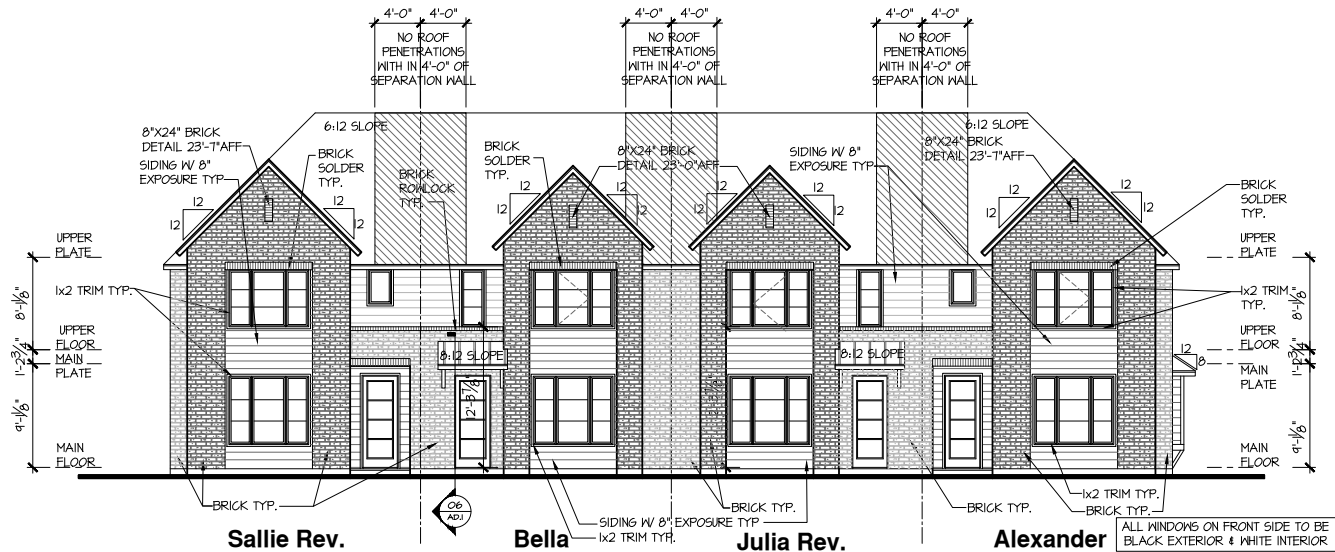
Building 1 (4 Plex) Left Elevation

SCALE: 1/8"=1'-0" (22x34) 1/6"=1'-0" (11x17)



Building 1 (4 Plex) Right Elevation

SCALE: 1/8"=1'-0" (22x34) 1/6"=1'-0" (11x17)



Building 1 (4 Plex) Front Elevation

SCALE: 1/8"=1'-0" (22x34) 1/6"=1'-0" (11x17)

CONSTRUCTION  
ASSEMBLIES:

- 1 THE FOLLOWING KEYNOTES  
REFERENCE THE SYMBOLS AS  
SHOWN ON PLANS
- A. ROOF CONSTRUCTION:  
COMPOSITION ROOF SHINGLES ON  
UNDERLAYMENT ON ROOF SHEATHING ON  
ROOF FRAMING MEMBERS (AS NOTED ON  
FRAMING PLANS).  
CEILING: 5/8" GYPSUM BOARD WITH  
INSULATION ABOVE.
- B1. TYPICAL SIDING WALL CONSTRUCTION:  
SIDING ON WATER RESISTANT BARRIER ON  
EXTERIOR WALL SHEATHING ON 2x4 OR 2x6  
STUDS, 16" O.C. W/ INSULATION IN CAVITIES.  
INTERIOR: 1/2" GYPSUM BOARD.
- B2. TYPICAL BRICK WALL CONSTR:  
BRICK (INSTALLED PER MFR'S SPECS.)  
OVER WATER RESISTANT BARRIER ON  
EXTERIOR WALL SHEATHING ON 2x4 OR 2x6  
STUDS, 16" O.C. W/ INSULATION IN CAVITIES.  
INTERIOR: 1/2" GYPSUM BOARD.
- C. TYPICAL FLOOR CONSTRUCTION:  
FINISHED FLOORING ON 3/4" FLOOR  
SHEATHING ON FLOOR FRAMING AS NOTED  
ON STRUCTURAL DRAWINGS.  
MAIN FLOOR CEILING: 5/8" GYPSUM BOARD.
- D. CONCRETE SLAB CONSTRUCTION:  
CONCRETE SLAB OVER 6 MIL.  
POLYETHYLENE VAPOR BARRIER OVER 4"  
MINIMUM GRANULAR FILL.

GENERAL FLOOR  
PLAN NOTES:

- ALL UNDIMENSIONED PARTITIONS (P-P)  
ARE 3 1/2" ROUGH UNLESS NOTED  
OTHERWISE.
- ALL EXTERIOR DIMENSIONS ARE TO FACE  
OF STUDS UNLESS NOTED OTHERWISE.
- ALL ANGLED PARTITIONS ARE 45  
DEGREES UNLESS NOTED OTHERWISE.
- WINDOW SUPPLIER TO VERIFY AT LEAST  
ONE WINDOW IN ALL BEDROOMS MEETS  
ALL EMERGENCY EGRESS REQUIREMENTS.
- ALL ELECTRICAL AND MECHANICAL  
EQUIPMENT, METER LOCATIONS, ETC. SHALL  
BE CONFIRMED BY MECHANICAL AND  
ELECTRICAL CONTRACTORS.  
CONTRACTORS SHALL COORDINATE WITH  
BUILDER PRIOR TO RELOCATION OF  
EQUIPMENT AND METERS.
- ALL TRUSSES TO BEAR ON EXTERIOR  
WALLS AND/OR GIRDER TRUSS UNLESS  
NOTED OTHERWISE.
- TRUSS MFG. TO SIZE MEMBERS,  
FASTENERS, HANGERS & SET SPACING  
FOR ALL TRUSSES.
- FOR ADDITIONAL INFORMATION SEE  
GENERAL NOTES AND DETAILS.
- TYPICAL WINDOW HEAD HEIGHTS SHALL BE  
8'-0" A.F.F. (UNO.) W/ 9'-1 1/8" PLATE AND  
7'-0" A.F.F. (UNO.) W/ 8'-1 1/8" PLATE

-FOUNDATIONS OF EXTERIOR WALLS OR PIERS EXPOSED MORE THAN TEN  
INCHES ABOVE THE ADJACENT GROUND LEVEL SHALL BE CLAD IN THE  
PRIMARY EXTERIOR FINISH MATERIAL, SUCH AS BRICK, STONE, OR STUCCO,  
OR STAINED TO COMPLEMENT THE PRIMARY EXTERIOR FINISH MATERIAL.

-ARCHITECTURAL STYLES THAT INCORPORATE EAVES SHALL HAVE THE  
EAVES EXTEND FROM THE BUILDING WALL AT LEAST 12 INCHES AS  
MEASURED HORIZANTALLY ON ALL FACADES.

ISSUE DATE: 9-14-2020  
REVISIONS

USE PLANS AND SPECIFICATIONS ARE PROVIDED UNDER  
THE ASSUMPTION OF SOLE AGENT AND NOT PROVIDER.

Viridian Townhomes

Cadence Homes

Dallas, TX



8255 Coleman Boulevard  
Frisco, Texas 75034  
972 720 1778

JOB NO. MS200294 PROJ. MGR. GB  
DRAWN: KDB CHECKED: .  
EXTERIOR ELEVATIONS

Viridian  
Building 1

AB1.4

<p style="text-align: center;"><b>PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA COMMUNICATION</b></p>
---

<b>AGENDA DATE:</b>	May 3, 2022
<b>AGENDA CAPTION:</b>	Conduct a Public Hearing and Consider a Proposed Amendment to the Allen Land Development Code Amending Section 4.10, “Residential Accessory Use Regulations,” by Adopting Standards Pertaining to “Cooling Towers and Similar Structures,” “Carports,” “Swimming Pools,” and “Home Occupations.”
<b>STAFF RESOURCE:</b>	Marc Kurbansade, Community Development Director Director of Community Development
<b>STRATEGIC PLANNING GOAL:</b>	Safe and Livable Community for All.

**BACKGROUND**

On August 10, 2021, City Council adopted Ordinance No. 3846-8-21, amending a number of sections of the Allen Land Development Code. Part of this ordinance included amendments to Section 4.10 of the ALDC. During codification of the aforementioned Ordinance, it became evident that the formatting used in the Ordinance inadvertently omitted the below sections of the ALDC pertaining to Residential Accessory Use Regulations:

- Cooling Towers and Similar Structures
- Carports
- Swimming Pools
- Home Occupations

This ordinance will simply reinstate those sections as they were prior to the passage of Ordinance No. 3846-8-21.

**STAFF RECOMMENDATION**

Staff recommends approval.

**MOTION**

*I make a motion to recommend approval of the proposed amendment to the Allen Land Development Code.*

**ATTACHMENT(S)**

[Draft Ordinance](#)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING ARTICLE IV “ZONING REGULATIONS” OF THE ALLEN LAND DEVELOPMENT CODE, AS AMENDED, BY AMENDING IN ITS ENTIRETY SECTION 4.10 “RESIDENTIAL ACCESSORY USE REGULATIONS” REGARDING THE REGULATION OF ACCESSORY STRUCTURES IN RESIDENTIAL ZONING DISTRICTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING FOR 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 persons interested and in the exercise of its legislative discretion, the City Council has concluded that the Allen Land Development Code Zoning Regulations of the City of Allen, Texas, as previously amended, should be further amended as follows:

**SECTION 1.** Article IV “Zoning Regulations” of the Allen Land Development Code, is amended by amending in its entirety Section 4.10 “Residential Accessory Use Regulations” to read as follows:

**“Sec. 4.10. - Residential accessory use regulations.**

1. *General.* The standards in this section 4.10 shall apply to all single-family residential zoning districts.
2. *Accessory structures.*
  - a. *Building permits.* No person shall install or construct an accessory structure with a floor area of greater than 120 square feet without first obtaining a building permit issued by the city.
  - b. *Engineered floors.* Notwithstanding paragraph 2.a, above, a building permit shall be obtained by a person prior to construction of an accessory structure that is required pursuant to one or more of the codes adopted pursuant to article III to be constructed with a permanent and/or engineered foundation.
  - c. *Compliance with lot coverage limits.* The cumulative area of all accessory structures located on a single-family residential lot and the area of the main structure located on the same lot shall not exceed the maximum lot coverage permitted in the zoning district.
  - d. *Setbacks.*
    - i. *Front yard.* A detached accessory structure must be located in the rear yard or in the area of a side yard not less than 20 feet behind the front building facade.

- ii. *Side and rear yards.* The required side and rear yard for any detached accessory structure is three feet from any side or rear lot line, except as follows:
    - (a) If no alley exists, the rear yard shall not be less than five feet from the rear lot line.
    - (b) No accessory structure shall be located within any easement affecting the lot as recorded in the Official Public Records of Collin County, Texas.
    - (c) A garage entered from an alley or side street shall be set back from the side street or alley not less than 20 feet.
    - (d) An accessory structure with an area greater than 400 square feet shall comply with the side and rear setback requirements applicable in the underlying zoning district applicable to the primary structure located on the same lot or tract.
  - iii. *Accessory structure height greater than 15 feet.* An accessory structure with a height greater than 15 feet shall comply with the setback requirements applicable to the primary structure or the setbacks set forth in paragraphs d.i and d.ii, above, whichever is more restrictive.
  - iv. *Maximum height of accessory structures.* At no point shall the height of the accessory structure exceed the height of the primary structure or the maximum height allowed for buildings constructed in the underlying zoning district, whichever is less.
- 3. *Cooling towers and similar structures.* Air conditioning compressors and pads on a lot or tract developed with a detached single-family residential unit shall be setback not less than three feet from any property line. Cooling towers and similar accessory structures shall be located in compliance with all front, side, or rear yard setback regulations applicable to the zoning district.
  - 4. *Carports.* Carports accessed from a rear alley or side street shall shelter no more than three vehicles, shall not exceed 27 feet on its longest dimension, and shall be located no closer than three feet to any side or rear lot line.
  - 5. *Swimming pools.* Swimming pools (including all decking and equipment) must be located behind front building setback lines and at not less than three feet from any property line. Any swimming pool water edge shall be not less than five feet from any primary structure. All pools must be completely enclosed by a fence or wall not less than six feet in height equipped with self-latching and self-closing gates. The latching device shall be located on the pool side not less than four and one-half feet above the ground. Automatic electric gates may be used, provided closing action is initiated within 60 seconds after pass-through of a vehicle or person. Temporary fencing is required during excavation.
  - 6. *Home occupations.* Home occupations are permitted as accessory uses subject to the following requirements:
    - a. The activity shall be conducted wholly within the main building and not in any accessory building.
    - b. Total floor area to be used for a home occupation shall not occupy more than 20 percent of the total floor area of the main building nor exceed 400 square feet.

- c. Outdoor activities shall be limited to instructional activities conducted in the back yard and screened from the neighboring property.
- d. No outside storage of materials, goods, supplies, vehicles, trailers or equipment connected with the home occupation shall be allowed.
- e. No advertisement, sign, or display relating to the home occupation shall be allowed on the premises. No advertisement of the home occupation shall include the street address of the premises.
- f. There shall be no activity that regularly attracts people who do not reside at the location of the home occupation, except those related to instructional activities.
- g. Instructional activities shall be limited to a maximum of six students at any time.
- h. Parking, picking up, or dropping off students is prohibited in city alleys.
- i. Merchandise or products of the home occupation shall not be offered or displayed for sale at or on the premises. Exception: Garage sales may be held twice in one calendar year provided that: (1) merchandise is not acquired solely for the purpose of resale on the premises; (2) the duration of sale shall not exceed three calendar days; (3) signage shall be in conformance with section 7.09 of this Code.
- j. Sales incidental to a service are allowed, provided that orders previously made by telephone generally are filled off the premises of the person conducting the home occupation, or at a sales party conducted off the premises of the person conducting the home occupation.
- k. There shall be no external evidence of the home occupation. No activity shall indicate, from the exterior of the structure, that the premises are being used for anything other than a dwelling unit.
- l. The activity shall employ only residents of the location of the home occupation.
- m. A home occupation shall produce no offensive odor, noise, dust, smoke, fumes, glare, vibration, electrical disturbance, or heat in excess of those normally found in residential areas.
- n. No traffic or parking of vehicles shall be generated by a home occupation in greater volumes than normally expected in a residential neighborhood and any need for parking must be accommodated within the required off-street parking for the dwelling unit.
- o. Childcare in a registered family home will be allowed and shall be limited to the number of children allowed under applicable state law or city regulation.
- p. Any business, occupation, or activity conducted within a dwelling unit, and which does comply with this Section 4.10.6 shall be construed to be a commercial activity and shall be cause for the city to order a cease to all such activity within such dwelling unit.
- q. Except for a person working on or selling a motor vehicle owned by the person and subject to all other applicable laws, rules, ordinances and regulations, the service, repair, painting, or onsite selling of any motor vehicle, including, but not limited to, automobiles, motorcycles,

trailers, boats, personal watercraft, recreation vehicles and lawn equipment is not authorized as, and is specifically excluded from the definition of, a home occupation.”

**SECTION 2.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Allen and the provisions of 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, 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, 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, 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 the Allen Land Development Code, as amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense, and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 5.** This ordinance shall take effect immediately from and after its passage and publication in accordance with its 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 10<sup>th</sup> DAY OF MAY 2022.**

**APPROVED:**

\_\_\_\_\_  
**Kenneth M. Fulk, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**Peter G. Smith, CITY ATTORNEY**  
(kbl:4/25/2022:128965)

\_\_\_\_\_  
**Shelley B. George, TRMC, CITY SECRETARY**