



**AGENDA
PLANNING AND ZONING
COMMISSION**

**REGULAR MEETING – 7:00 P.M.
TUESDAY, APRIL 7, 2009
ALLEN CITY HALL – COUNCIL CHAMBERS
305 CENTURY PARKWAY
ALLEN, TEXAS**

Call to Order and Announce a Quorum is Present

1. **Directors Report:** Action taken on the Planning & Zoning items by City Council at the 3/10/09 and 3/24/09 City Council meetings.

Consent Agenda

2. Approve minutes of the March 3, 2009 meeting.
3. Combination Plat - Consider a Combination Plat for Lot 1, Block A, Harvest Oaks Baptist Church Addition; being 3.616± acres located north of Bethany Drive between Cheyenne Drive and Big Bend Drive.

Regular Agenda

4. Replat/Public Hearing - Conduct a Public Hearing and consider a Replat for Lots 13R-1 & 13R-2, Block G, Bray Central One Addition being a Replat of Part of Lots 1R-4 and 2R-2, Block G, Bray Central One Addition. The property is 4.765± acres located south of Medical Drive between Watters Road and Junction Drive.
5. Replat/Public Hearing – Conduct a Public Hearing and consider a Replat for Lots 2R-1-2C and 2R-2-2C, Block G, being a Replat of a portion of Lot 2R – 2C, Block G, Bray Central One Addition. The property is 7.349± acres located south of Exchange Parkway between Watters Road and Junction Drive.
6. Residential Replat/Public Hearing – Conduct a Public Hearing and consider a Residential Replat for Saddleridge Phase One, Lots 2R – 5R, Block B, being a Replat of Saddleridge Phase One, Lots 2 – 6, Block B. The property is 1.350± acres located northeast of Stacy Road between Norwich Street and Fair Hill Drive.
7. Residential Replat/Public Hearing – Conduct a Public Hearing and consider a Residential Replat for Saddleridge Phase Two, Lots 4R – 8R, Block D, being a Replat of Saddleridge Phase Two, Lots 4 – 9, Block D. The property is 1.687± acres located south of Ridgeview Drive, and north of Hawkwood Way and Kenilworth Street.
8. Residential Replat/Public Hearing – Conduct a Public Hearing and consider a Residential Replat for Saddleridge phase Two, Lots 13R – 18R, Block C, being a Replat of Saddleridge Phase Two, Lots 13 – 19, Block C. The property is 2.121± acres located northeast of Stacy Road and south on Hawkwood Way.

Agenda
Planning & Zoning Commission
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9. Public Hearing – Conduct a Public Hearing and consider a request for an amendment to PD Planned Development No. 54, Tract 30 from CF/SF Community Facilities/Single Family to Single-family Residential R-5 and modify the front yard and side yard setbacks for Waterford Parks. The property is 2.8± acres in the Michael See Survey, Abstract 544, Collin County, Allen, Texas; located east of Bray Central Drive, south of Everglades Drive.
10. Public Hearing – Conduct a Public Hearing and consider a request for an amendment to PD Planned Development No. 73 for SC Shopping Center uses, for an amendment to the Sign Plan for the development. The property is 167.7± acres in The Village of Allen, Allen, Texas, located at the southeast corner of US75 and Stacy Road.
11. Public Hearing – Conduct a Public Hearing and consider amendments to the Allen Land Development Code by amending Article V. Floodplain Hazard, to adopt new Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, to provide a penalty section, and make general clerical updates to the existing language.

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.

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 3, 2009, 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.

Director's Report from 3/10/09 and 3/24/09 City Council Meetings

There were no items taken to the March 10, 2009 City Council meeting for consideration.

There was one item taken to the March 24, 2009 City Council meeting for consideration. The Racetrac SUP was approved by the City Council with the condition that an additional three foot landscape screening would be added along the common boundaries between Racetrac and American National Bank.

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: April 7, 2009

SUBJECT: Consider a Combination Plat for Lot 1, Block A, Harvest Oaks Baptist Church Addition; being 3.616± acres located north of Bethany Drive between Cheyenne Drive and Big Bend Drive.

STAFF RESOURCE: Lee Battle, AICP
Assistant Director of Planning & Development

PREVIOUS COMMISSION/COUNCIL ACTION: A SUP Specific Use Permit was approved by P&Z on November 18, 2008, and by City Council on December 9, 2008.

BACKGROUND

The property is located north of Bethany Drive between Cheyenne Drive and Big Bend Drive. The property is surrounded by R-5 Residential.

Harvest Oaks Baptist Church has received a Specific Use Permit for this property. Currently the property has an existing building but has not been officially platted. The site plan, included in the SUP ordinance, shows construction of the church in two phases. Improvements to the existing building (Phase I) have begun.

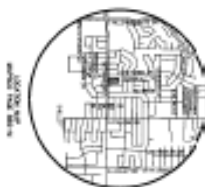
The Combination Plat has been reviewed by the Technical Review Committee and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Approval

ATTACHMENT

Combination Plat



LEGEND
LOT 1, BLOCK A
LOT 2, BLOCK A
LOT 3, BLOCK A
LOT 4, BLOCK A
LOT 5, BLOCK A
LOT 6, BLOCK A
LOT 7, BLOCK A
LOT 8, BLOCK A
LOT 9, BLOCK A
LOT 10, BLOCK A
LOT 11, BLOCK A
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LOT 14, BLOCK A
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LOT 90, BLOCK A
LOT 91, BLOCK A
LOT 92, BLOCK A
LOT 93, BLOCK A
LOT 94, BLOCK A
LOT 95, BLOCK A
LOT 96, BLOCK A
LOT 97, BLOCK A
LOT 98, BLOCK A
LOT 99, BLOCK A
LOT 100, BLOCK A



COMBINATION PLAT
LOT 1, BLOCK A
HARVEST OAKS BAPTIST CHURCH ADDITION
SEYMOUR TRAIL, DISTRICT NO. 52
CLAYTON COUNTY, TEXAS

PREPARED BY: [Signature]
DATE: [Date]

RECORDING INFORMATION:
This plat was recorded on [Date] at [Time] in the [Volume] and [Page] of the [County] and [State] records.

LEGAL DESCRIPTION:
The land described in this plat is situated in the [Section] of the [Range] and [Meridian] of the [County] and [State] records.

WARRANTY:
The undersigned warrants that the land described in this plat is his or her own and that he or she has the right to dispose of the same as he or she sees fit.

NOTES:
[Additional notes regarding the plat and the land described.]

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
--

AGENDA DATE:

April 7, 2009

SUBJECT:

Conduct a Public Hearing and Consider a Replat for Lots 13R-1 & 13R-2, Block G, Bray Central One Addition being a Replat of Part of Lots 1R-4 and 2R-2, Block G, Bray Central One Addition. The property is 4.765± acres located south of Medical Drive between Watters Road and Junction Drive.

STAFF RESOURCE:

Tiffany McLeod
Planner

**PREVIOUS BOARD/
COUNCIL ACTION:**

The property is zoned PD 54 for IT Industrial Technology.

BACKGROUND

This property is located south of Medical Drive between Watters Road and Junction Drive. It is surrounded by PD Planned Development 54 for IT Industrial Technology.

The purpose of the replat is to subdivide portions of Lots 1R-4 and 2R-2, Block G to create Lots 13R-1 and 13R-2. Office buildings are being proposed for both lots; a 15,000 sq.ft. medical office building in Lot 13R-1 and a 28,000 sq.ft. office building in Lot 13R-2.

This replat has been reviewed by the Technical Review Committee and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Replat

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:

April 7, 2009

SUBJECT:

Conduct a Public Hearing and Consider a Replat for Lots 2R-1-2C and 2R-2-2C, Block G, being a Replat of a portion of Lot 2R – 2C, Block G, Bray Central One Addition. The property is 7.349± acres located south of Exchange Parkway between Watters Road and Junction Drive.

STAFF RESOURCE:

Tiffany McLeod
Planner

**PREVIOUS BOARD/
COUNCIL ACTION:**

The property is zoned PD 54 for IT Industrial Technology.

BACKGROUND

This property is located south of Exchange Parkway between Watters Road and Junction Drive. It is surrounded by PD Planned Development 54 for IT Industrial Technology.

The purpose of the replat is to divide Lot 2R-2C, Block G into two lots. The proposed development for Lot 2R-1-2C is a medical office plaza consisting of two 8,300 sq.ft. buildings. A site plan for this development has been reviewed by staff and approved by the Director of Planning and Development. Nothing has been submitted, at this time, for Lot 2R-2-2C.

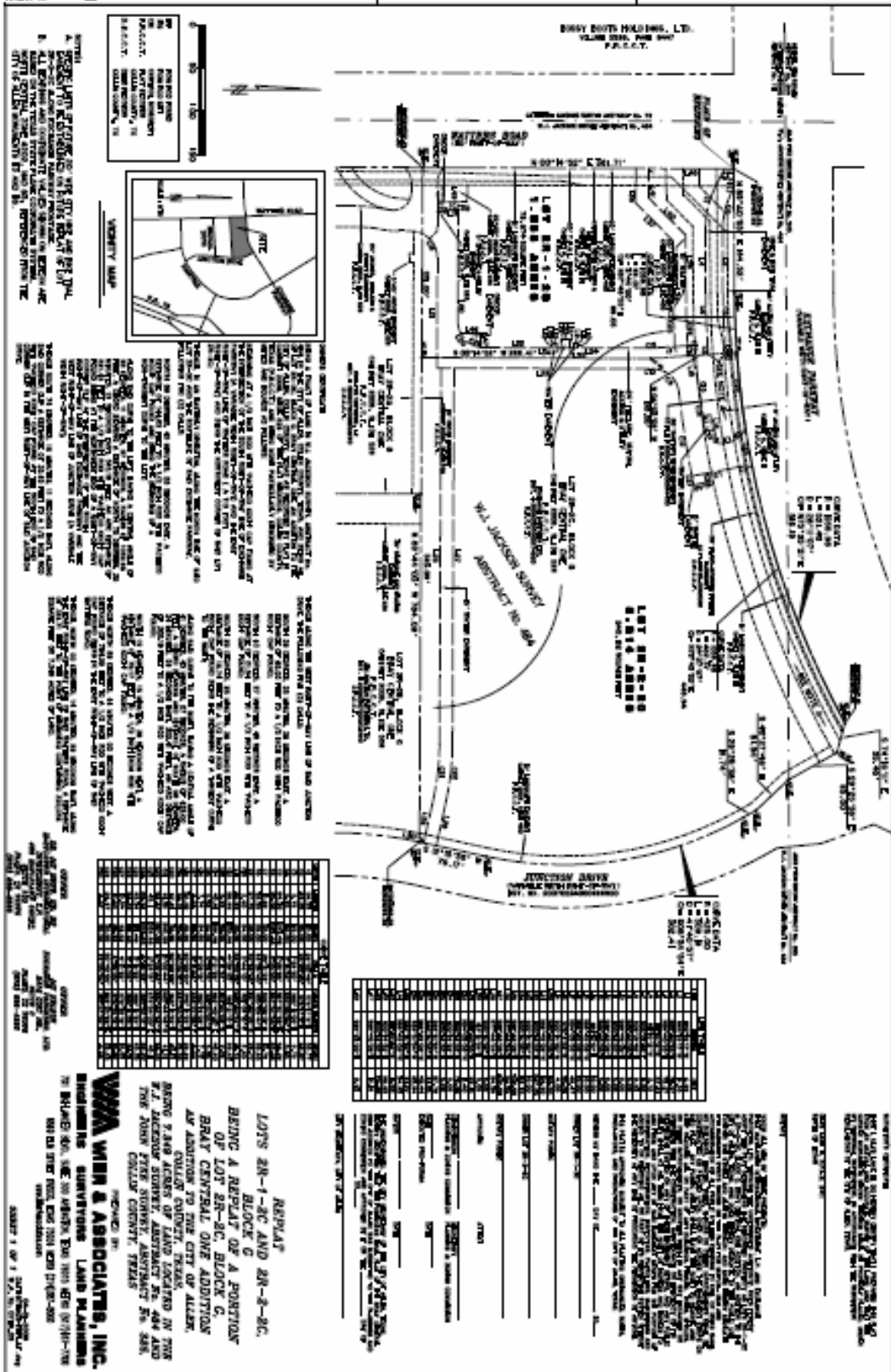
This replat has been reviewed by the Technical Review Committee and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Replat



PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:

April 7, 2009

SUBJECT:

Conduct a Public Hearing and Consider a Residential Replat for Saddleridge Phase One, Lots 2R – 5R, Block B, being a Replat of Saddleridge Phase One, Lots 2 – 6, Block B. The property is 1.350± acres located northeast of Stacy Road between Norwich Street and Fair Hill Drive.

STAFF RESOURCE:

Tiffany McLeod
Planner

**PREVIOUS BOARD/
COUNCIL ACTION:**

A Final Plat for Saddleridge Phase One was approved by P&Z in September, 2006.

PUBLIC NOTICE:

Notices mailed to property owners within 200 ft. – March 20, 2009.
Newspaper notice published - March 19, 2009.

BACKGROUND

This property is located northeast of Stacy Road between Norwich Street and Fair Hill Drive. The property is zoned PD Planned Development No. 72 for R-5 Residential.

The purpose of the replat is to revise the lot lines of Lots 2 through 6. The developer initially planned the subject lots with the average lot width being approximately 81 feet. These lots accommodate some of their smaller homes. However, according to the developer, the current market demand is for one of their larger products. The replat reduces the number of lots within this strip from five to four; thereby creating larger lots. These larger lots provide sufficient area for the developer's larger home product. The new lot sizes and number of lots remain within the standards of the PD-72 (R-5) zoning district.

This replat has been reviewed by the Technical Review Committee and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Replat
Property Ownership List
Property Ownership Notification Map
Location Map

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:

April 7, 2009

SUBJECT:

Conduct a Public Hearing and Consider a Residential Replat for Saddleridge Phase Two, Lots 4R – 8R, Block D, being a Replat of Saddleridge Phase Two, Lots 4 – 9, Block D. The property is 1.687± acres located south of Ridgeview Drive, and north of Hawkwood Way and Kenilworth Street.

STAFF RESOURCE:

Tiffany McLeod
Planner

**PREVIOUS BOARD/
COUNCIL ACTION:**

A Final Plat for Saddleridge Phase Two was approved by P&Z in September, 2006.

PUBLIC NOTICE:

Notices mailed to property owners within 200 ft. – March 20, 2009.
Newspaper notice published - March 19, 2009.

BACKGROUND

This property is located south of Ridgeview Drive and north of Hawkwood Way and Kenilworth Street. The property is zoned PD Planned Development No. 72 for R-5 Residential.

The purpose of the replat is to revise the lot lines of Lots 4 through 9. The developer initially planned the subject lots with the average lot width being approximately 78 feet. These lots accommodate some of their smaller homes. However, according to the developer, the current market demand is for one of their larger products. The replat reduces the number of lots within this strip from six to five; thereby creating larger lots. These larger lots provide sufficient area for the developer's larger home product. The new lot sizes and number of lots remain within the standards of the PD-72 (R-5) zoning district.

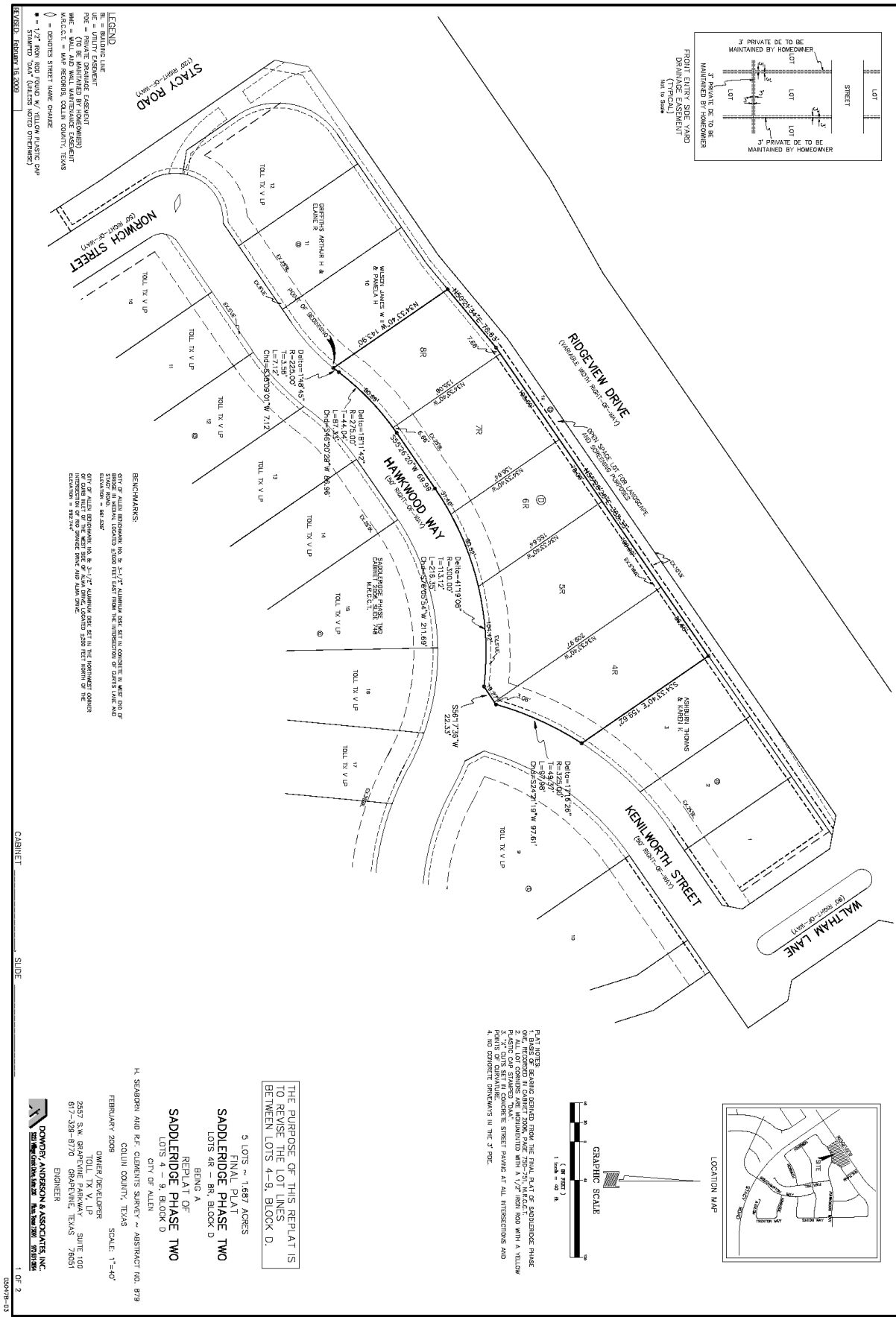
This replat has been reviewed by the Technical Review Committee and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Replat
Property Ownership List
Property Owner Notification Map
Location Map



PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: April 7, 2009

SUBJECT: Conduct a Public Hearing and Consider a Residential Replat for Saddleridge Phase Two, Lots 13R – 18R, Block C, being a Replat of Saddleridge Phase Two, Lots 13 – 19, Block C. The property is 2.121± acres located northeast of Stacy Road and south on Hawkwood Way.

STAFF RESOURCE: Tiffany McLeod
Planner

**PREVIOUS BOARD/
COUNCIL ACTION:** A Final Plat for Saddleridge Phase Two was approved by P&Z in September, 2006.

PUBLIC NOTICE: Notices mailed to property owners within 200 ft. – March 20, 2009.
Newspaper notice published - March 19, 2009.

BACKGROUND

This property is located northeast of Stacy Road and south on Hawkwood Way. The property is zoned PD Planned Development No. 72 for R-5 Residential.

The purpose of the replat is to revise the lot lines of Lots 13 through 19. The developer initially planned the subject lots with the average lot width being approximately 77 feet. These lots accommodate some of their smaller homes. However, according to the developer, the current market demand is for one of their larger products. The replat reduces the number of lots within this strip from seven to six; thereby creating larger lots. These larger lots provide sufficient area for the developer's larger home product. The new lot sizes and number of lots remain within the standards of the PD-72 (R-5) zoning district.

This replat has been reviewed by the Technical Review Committee and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

Replat
Property Ownership List
Property Owner Notification Map
Location Map

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:

April 7, 2009

SUBJECT:

Conduct a Public Hearing and consider a request for an amendment to PD Planned Development No. 54, Tract 30 from CF/SF Community Facilities/Single Family to Single-family Residential R-5 and modify the front yard and side yard setbacks for Waterford Parks. The property is 2.8± acres in the Michael See Survey, Abstract 544, Collin County, Allen, Texas; located east of Bray Central Drive, south of Everglades Drive.

STAFF RESOURCE:

Lee Battle, AICP
Assistant Director Planning & Development

**PREVIOUS COMMISSION/
COUNCIL ACTION:**

A Preliminary Plat for Waterford Parks Phases 5, 6, 7, 8 & 9, was approved by P&Z, April, 2006.

PUBLIC NOTICE:

Notices mailed to property owners within 200 ft. – March 27, 2009.
Newspaper notice will be published – April 9, 2009.
Public hearing sign installed – March 27, 2009.

BACKGROUND

The property is located east of Bray Central Drive, south of Everglades Drive. The property to the north and west is zoned PD Planned Development No. 77 for R-5 Residential, the property to the east is zoned PD Planned Development No. 54 for IT Industrial Technology and the property to the south is zoned PD Planned Development No. 54 for CF Community Facilities – the future Beverly Cheatham Elementary.

This zoning modification applies to the single row of houses to be constructed south of Everglades Drive and north of the future Cheatham Elementary School (see attached exhibit). These houses will be on Blanco Drive, which will be constructed with the school. These will be front-entry homes since there is no alley access. The road will be built as a collector with a 60 ft. ROW to accommodate school traffic and on-street parking for the school and front-entry homes.

The Allen ISD and the developer Christopher Jackson have been working through issues related to the design of the school and construction of the road. They approached the City with a proposal that shifts the street pavement south within the 60 ft. ROW and provides additional depth to the residential lots to accommodate the houses being constructed. This will allow these houses to have front yards similar in depth to other houses in the neighborhood, and will insure that the entire street can be constructed with the school. Because a larger portion of the front yard will actually be parkway (ROW), the setbacks which are measured from the property line need to be modified. A zoning amendment is the only way to modify setbacks.

The attached graphics show a typical lot with a 25 ft. front setback and the proposed design. The proposed design has a 10 ft. front building setback, but a larger parkway. The result is a shallower lot, but with the additional parkway the distance from the street pavement to the house will be similar to other houses and yards in the neighborhood. This zoning also “resets” the base zoning to R-5 and establishes a 6 ft. side yard setback, which clarifies the requirements and makes the zoning “cleaner”.

This is a good example of the school district and developer working together to resolve an issue with creativity and flexibility. Staff believes this proposal is a “win – win” solution.

STAFF RECOMMENDATION

Approval

ATTACHMENT

Street Layout graphic
Street Cross-Section graphic
Lot Exhibit graphic
Property Ownership List
Property Owner Notification Map

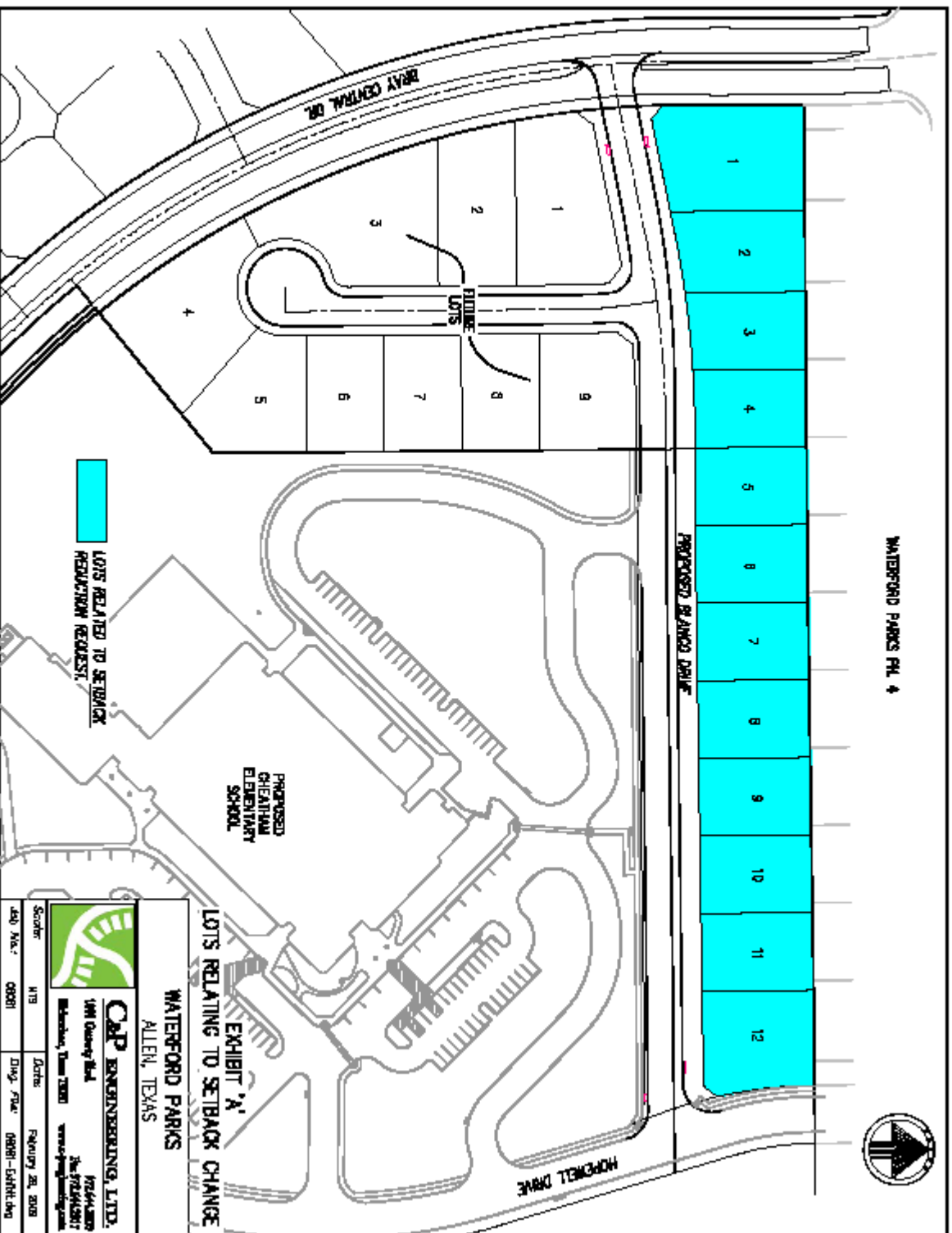


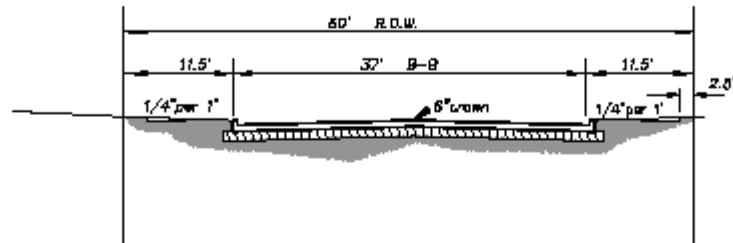
EXHIBIT 'A'
LOTS RELATING TO SETBACK CHANGE

WATERFORD PARKS
ALLEN, TEXAS

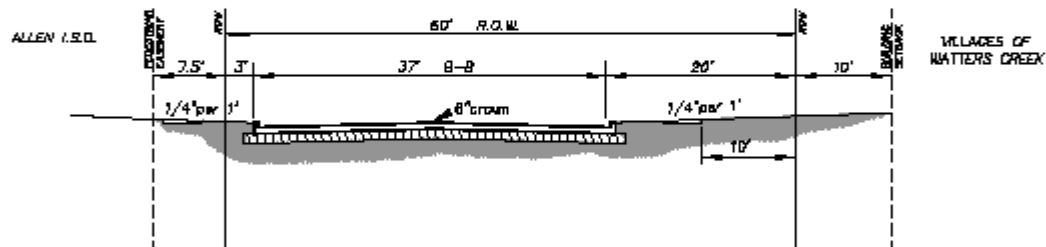


C&P ENGINEERING, LTD.
 1901 Oakway Blvd.
 Richardson, Texas 75081
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 Fax: 972.441.2017
 www.c-and-p-engineering.com

Scale:	1/8" = 1'	Date:	February 28, 2008
Job No.:	08001	Draw. No.:	08001-ENRTH.dwg



Typical 37' B-B Paving Section
N.T.S.



A-Typical 37' B-B Paving Section
N.T.S.



C&P
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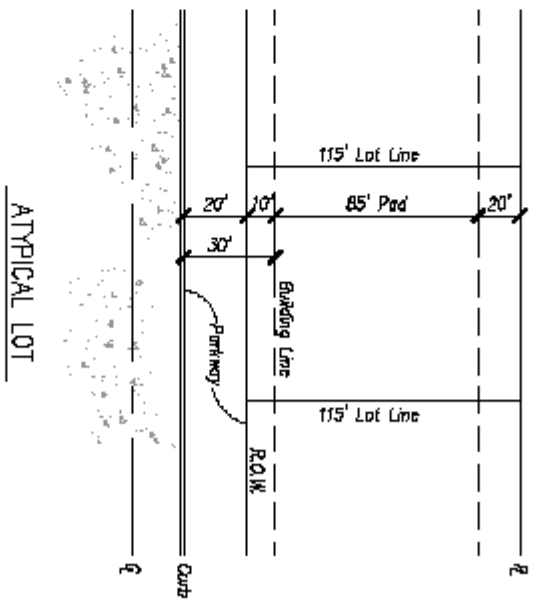
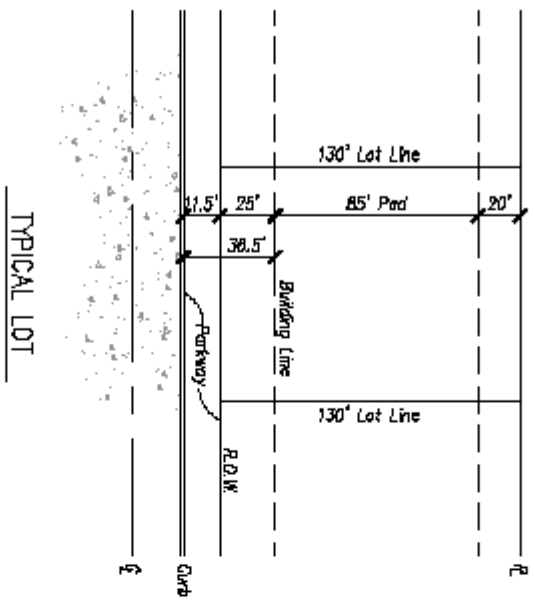
1801 GATEWAY BLVD, SUITE 101
RICHARDSON, TEXAS 75080 (972)844-2800

Scale: NTS

Date: 11/25/05

Job No.: 08081

Dwg. File: 08081-XSECTION



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 3000 Canyon Blvd. STEAMBOAT
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 Phone: 970.444.2877
 Fax: 970.444.2877
 www.candpengineering.com

WATERFORD PARKS - LOT EXHIBIT
 ALLEN, TEXAS

Section	N.T.S.	Date	Jan. 15 2008
Job No.	CD006	Drawn By	Lot Exhibit.dwg

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE: April 7, 2009

SUBJECT: Conduct a Public Hearing and consider a request for an amendment to PD Planned Development No. 73 for SC Shopping Center uses, for an amendment to the Sign Plan for the development. The property is 167.7± acres in The Village of Allen, Allen, Texas, located at the southeast corner of US75 and Stacy Road.

STAFF RESOURCE: Ogden “Bo” Bass, AICP
Director of Planning & Development

PREVIOUS COMMISSION/COUNCIL ACTION: A Final Plat was approved by P&Z February 5, 2008. An amendment to PD73, including approval of a sign plan, was approved by City Council in October, 2007.

PUBLIC NOTICE: Notices mailed to property owners within 200 ft. – March 27, 2009.
Newspaper notice published - March 26, 2009.
Public hearing sign installed – March 27, 2009.

BACKGROUND

The property is located at the southeast corner of US75 and Stacy Road. The property to the north across Stacy Road, is the Town of Fairview. The property to the east is zoned R-5 Residential; the property to the south is zoned R-5 and R-7 Residential, and PD Planned Development No. 58 for LI Light Industrial. To the west is US75.

A sign plan accompanied the original ordinance for this development. At that time some of the actual signage had not been designed yet; therefore a number of signs in the plan were conceptual. Design of this development’s signage is now complete. The purpose of the amendment is to modify the original sign plan by providing specific sign details, dimensions and types for all of the signs in this development.

STAFF RECOMMENDATION
Approval

ATTACHMENT
Existing Sign Standards
Proposed Sign Standards
Sign Renderings
Property Ownership List
Property Owner Notification Map
Event Center Sign Agreement

SIGN TYPE	Maximum Height	Maximum Copy Area (Square Feet Per Side)	Max. Structure (Includes Copy Area)	Maximum Number	Minimum Spacing	Front Yard Setback (min. in feet) Typical is 8-10 ft. from curb	Permit Required	Additional Provisions/Comments
VILLAGE AT ALLEN								
A1: MULTITENANT ID SIGN (Pylon)	50 FT	400 SF	1500 SF	2	60	N/A		
A2: ID SIGN W/ ELECTRONIC MESSAGE BOARD	50 FT	400 SF	1500 SF	1	60	N/A		
B: FREESTANDING TENANT ID SIGN	20 FT	100 SF	150 SF	3	60	8		
C: REGULATORY SIGN	N/A	N/A	N/A	N/A	N/A	N/A		Typical DOT panel on project specific post Center 13 ft H/7.5 ft Spacing Surface Integrated into landscape wall
D: PROJECT ARCHITECTURAL FEATURE	25'-1'	100 SF	600 SF	1	60	8		Internal Structural
E1: MULTITENANT DIRECTIONAL MONUMENT	8-10 FT (30 SF)	64 SF	25	60	5			Internal Structural
E2: TENANT DIRECTIONAL MONUMENT	4-6 FT (30 SF)	64 SF	2	60	8			
F: FREESTANDING VEHICLE DIRECTIONAL	14 SF	12 SF	50 SF	2	60	N/A		Directional panels - 8'-6" clearance Pole mounts / poles is 14ft tall - panels have 8'-6" clearance
G: FREESTANDING PEDESTRIAN DIRECTIONAL	14 FT	12 SF	N/A	11	10	N/A		
H: DIRECTORY	10 FT	45 SF	55 SF	6	30	N/A		Actual structure area does not include bracket
I: SERVICE DIRECTIONAL	4 FT	10 SF	*16 SF	N/A	N/A	N/A		*Does not include bracket *1 per store front
L: TENANT BLADE/CANOPY SIGN	4 FT	16 SF	*24 SF	*	N/A	N/A		Minimum clearance of 7'-6" *Does not include bracket *1/2 per store front
		12 SF	*20 SF	*2	N/A	N/A		Minimum clearance of 7'-6"

** LOGO DOES NOT COUNT AS PART OF THE MAXIMUM COPY AREA ON ANY SIGN TYPE**

SIGN TYPE	Maximum Height	Maximum Copy Area (Square Feet Per Side)	Max. Structure (Includes copy area)	Maximum Number	Minimum Spacing	Front Yard Setback (min. in feet) *Typical is 8' or 10' from curb	Permit Required	Additional Provisions/Comments

VILLAGE A, ALMA								
A1 - MULTITENANT ID SIGN (PANEL)	20 FT	400 SF	500 SF	2	60	N/A		
A2 - ID SIGN W/ ELECTRIC MESSAGE BOARD	20 FT	700 SF	300 SF	1	60	N/A		
C1 - FREESTANDING TENANT ID SIGN	20 FT	200 SF	160 SF	3	60	8		
D1 - DIRECT ARCHITECTURAL - BALANCE	35 FT	80 SF	250 SF	1	60	8		
F1 - ALIT - TENANT/DIRECTIONAL WORK SIGN	9 - 10 FT 30 SF	64 SF	64 SF	25	60	5		
E2 - TENANT DIRECTIONAL WORK SIGN	4 - 6 FT 30 SF	64 SF	64 SF	2	60	5		
F1 - FREESTANDING VERTICAL AR DIRECTIONAL	14 SF	12 SF	50 SF	5	80	N/A		
G1 - FREESTANDING PERPETRMAN DIRECTIONAL	14 FT	12 SF	N/A	11	10	N/A		
H1 - DIRECTORY	10 FT	22 SF	61 SF	15	30	N/A		*Two structure sizes does not include bracket *Does not include bracket
I1 - SERVICE DIRECTIONAL	11 FT	10 SF	16 SF	N/A	N/A	N/A		
J1 - TENANT BALANCE/CANOPY SIGN	4 FT	18 SF	24 SF	1	N/A	N/A		*1 per store front *Minimum clearance of 7'-6"
		72 SF	20 SF	2	N/A	N/A		*Does not include bracket *2 per store front *Minimum clearance of 7'-6"
M1 - FRT DIRECTIONAL SIGN POST	8 FT	7 SF	10 SF	12	N/A	N/A		
P1 - WALL SIGN	6 - 8'	20 SF	40 SF	45	N/A	N/A		MAX HEIGHT OF SIGN FROM TOP OF POST 10'
Q1 - AD BILLBOARD	12 x 11	20 SF	91 SF	25	30	N/A		
R1 - SIGN ATTACH SIGN	N/A	N/A	N/A	N/A	N/A	N/A		Typical not front yard

THE LOGO DOES NOT COUNT AS PART OF THE MAXIMUM COPY AREA ON ANY SIGN TYPE

LOGO DOES NOT COUNT AS PART OF THE MAXIMUM COPY AREA ON ANY SIGN TYPE**

MAXIMUM HEIGHT ALLOWED: 50 FT ACTUAL: 50 FT	MAXIMUM COPY AREA (INCLUDES FEEL FREE COPY) ALLOWED: 40 SF ACTUAL: 30.9 SF	*NOTE: GOOD DOES NOT COUNT AS PART OF THE MAX COPY AREA ON ANY SIDE TYPE	MAXIMUM STRUCTURE AREA (INCLUDES COPY AREA) ALLOWED: 150 SF ACTUAL: 106.9 SF
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Drawings are design intent only. Fabricator is solely responsible for engineering and above all integrity of all work.

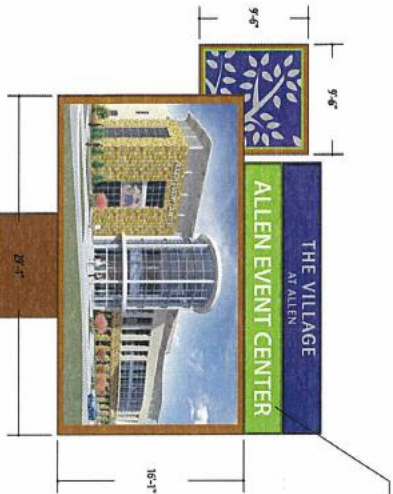
<p>MAXIMUM HEIGHT ALLOWED: 50 FT ACTUAL: 50 FT</p> <p>MAXIMUM COPY AREA (INCLUDE FEET PER SIDE) ALLOWED: 400 SF ACTUAL: 254 SF</p> <p>*NOTE: LOBBY DOES NOT COUNT AS PART OF THE MAX COPY AREA ON ANY SIDE TYPE</p>	<p>MAXIMUM STRUTTING AREA (INCLUDES COPY AREA) ALLOWED: 1500 SF ACTUAL: 1095 SF</p>
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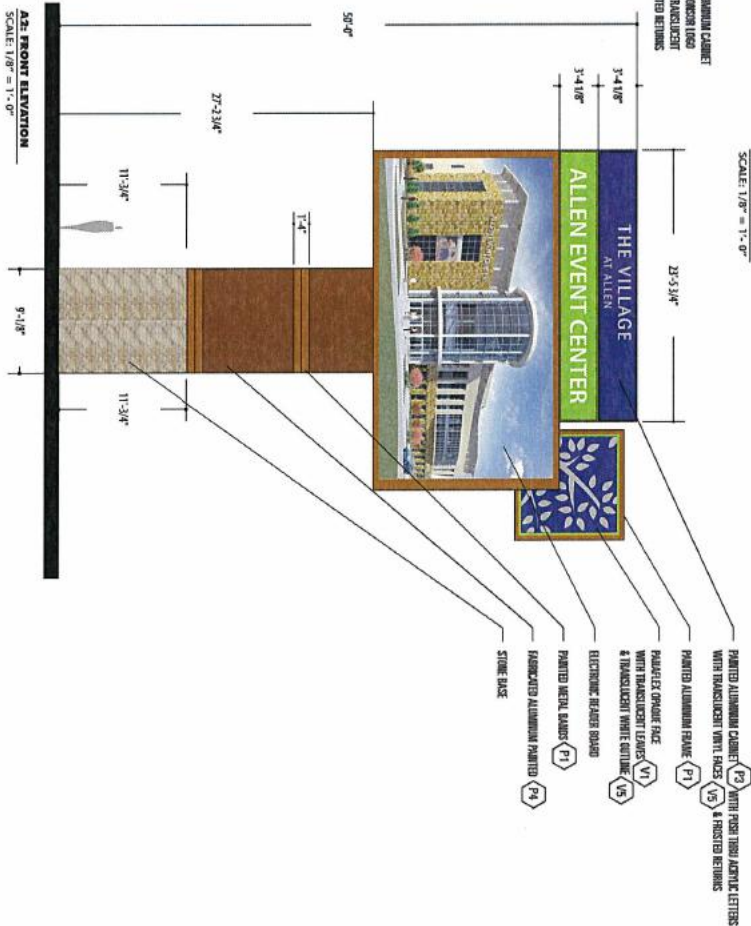
Directing and managing other professionals in carrying out design, construction and maintenance. Professionals responsible for engineering and technical integrity of all projects.



A2: PLAN VIEW
SCALE: 1/8" = 1'-0"



A3: BACK ELEVATION
SCALE: 1/8" = 1'-0"



A3: FRONT ELEVATION
SCALE: 1/8" = 1'-0"

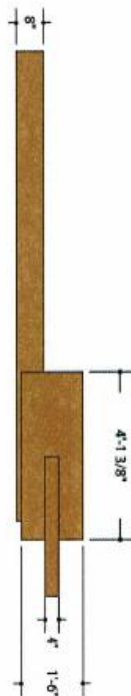
Title PROJECT THE VILLAGE AT ALLEN Frontier Sign Systems														
Drawing Title SIGN TYPE ELIC-READER BOARD														
Sign Type A2														
Scale 1/8" = 1'-0"														
Date 02-24-09														
Revisions 1 2 3 4 5 6 7														
2.0														

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Designing an effective sign is only the first step in a multi-step process. The Designer is not responsible for the final appearance of the sign. The Designer is responsible for the design and construction of the sign.

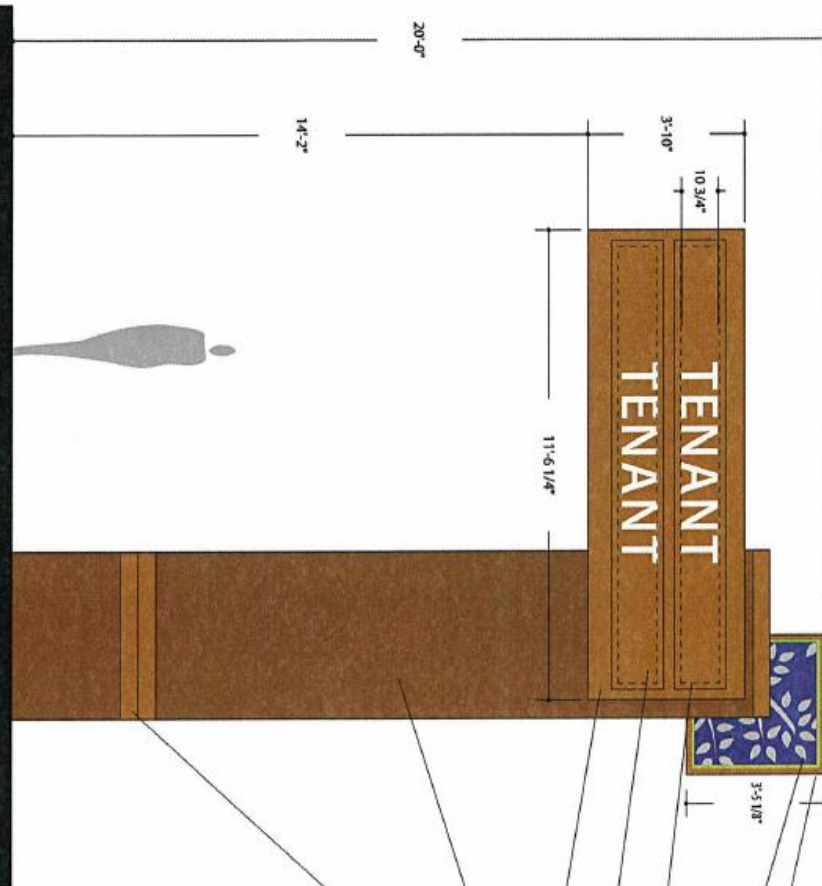
SCALE: 3/8" = 1'-0"

SCALE: 3/8" = 1'-0"



SCALE: 3/8" = 1'-0"

SCALE: 3/8" = 1'-0"



SCALE: 3/8" = 1'-0"

SCALE: 3/8" = 1'-0"



ST-C3 TO BE DOUBLE SIDED
C1 & C2 ARE SINGLE SIDED

CODE INFORMATION


MAXIMUM HEIGHT ALLOWED: 20 FT
ACTUAL: 20 FT

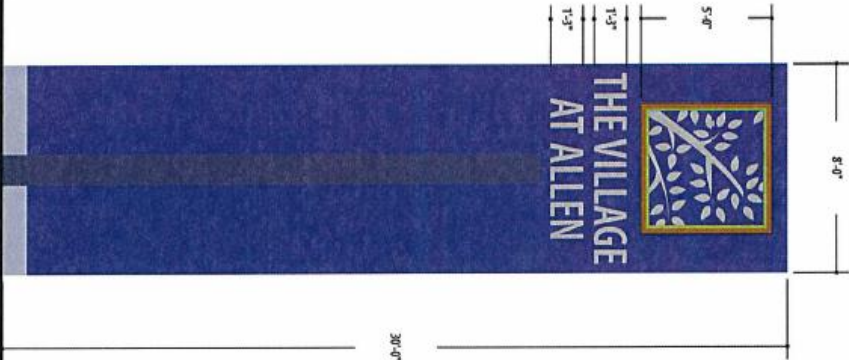
MAXIMUM COPY AREA (SQUARE FEET PER SIDE) ALLOWED: 100 SF
ACTUAL: 20 SF

*NOTE: LOGO DOES NOT COUNT AS PART OF THE MAX. COPY AREA ON ANY SIGN TYPE

MAXIMUM STRUCTURE AREA (INCLUDES COPY AREA) ALLOWED: 100 SF
ACTUAL: 20 SF

*40 SF IF TWO SIDES ARE DRAPED

	
PROJECT THE VINE AT ALHAI	
Elevator Sign System	
Sign Type C	
DWG TITLE	PRESTANDING TENANT ID SIGN
SCALE	DATE
3/8" = 1'-0"	02-24-08
4	5
6	7
<div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> </div>	
<div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> </div>	
<div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> <div>26</div> <div>27</div> <div>28</div> <div>29</div> <div>30</div> </div>	
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<div> <div>291</div> <div>292</div> <div>293</div> <div>294</div> <div>295</div> <div>296</div> <div>297</div> <div>298</div> <div>299</div> <div>300</div> </div>	
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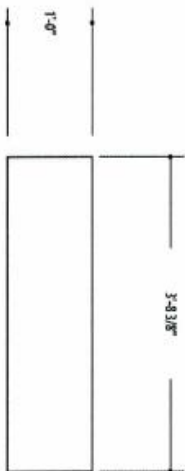


D: FRONT ELEVATION
SCALE: 1/4" = 1'-0"

<div> <div>huc</div> <div>the sign</div> </div>	PROJECT	THE VILLAGE AT ALLEN	DWG TITLE	PROJECT ARCHITECTURAL FEATURE	SCALE	DATE	REVISIONS	1	2	3	4.0
	Sign Type	Sign Type D			1/4" = 1'-0"	02-24-09	4	5	6	7	

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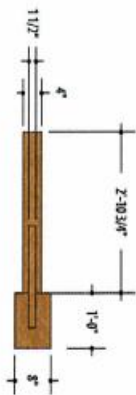
E2 : PLAN VIEW
SCALE: 3/4" = 1'-0"



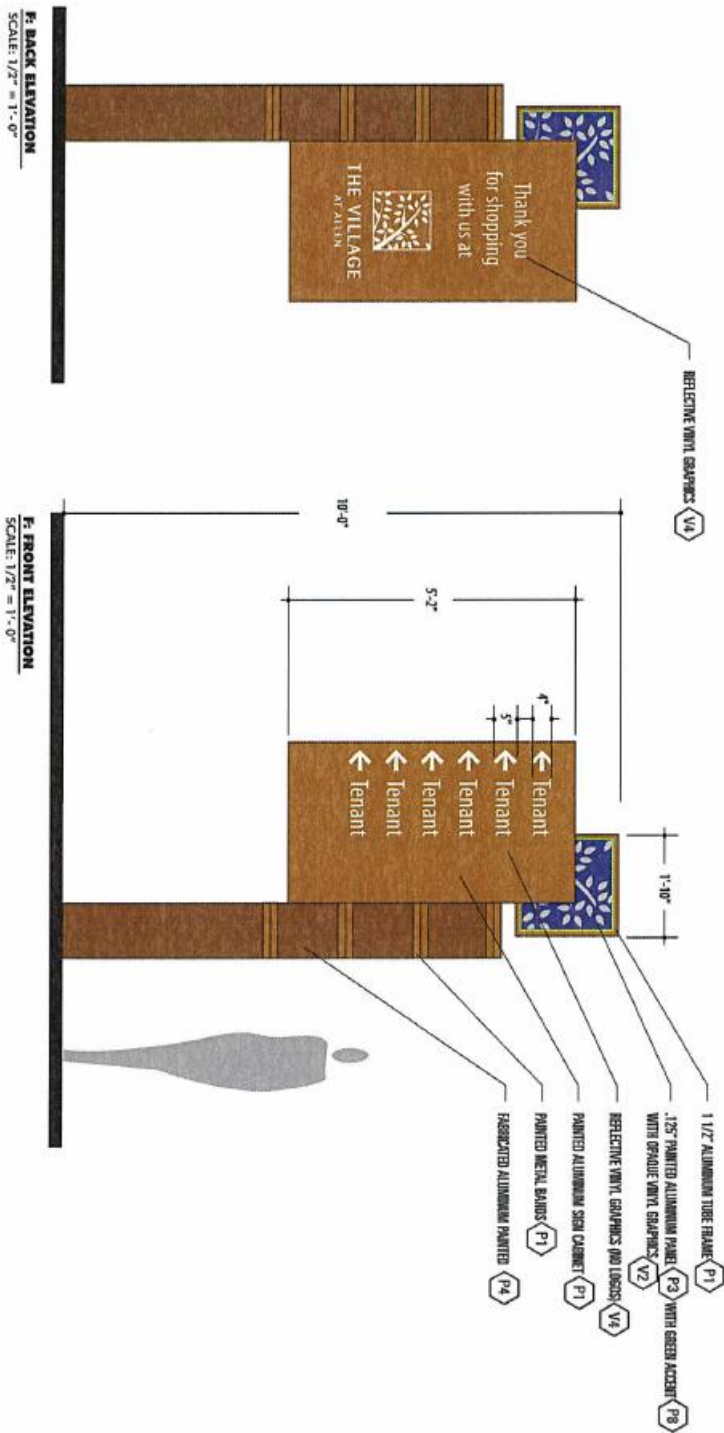
E2: FRONT ELEVATION
SCALE: 3/4" = 1'-0"

PROJECT		DWG TITLE		SCALE		DATE		REVISIONS		6.0	
THE VILLAGE AT ALLEN		AIR ANCHOR TENANT ID		3/4" = 1'-0"		02-24-09		1			
Sign Type E2								4		2	
								5		3	
								6		7	

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F1 PLAN VIEW
SCALE: 1/2" = 1'-0"



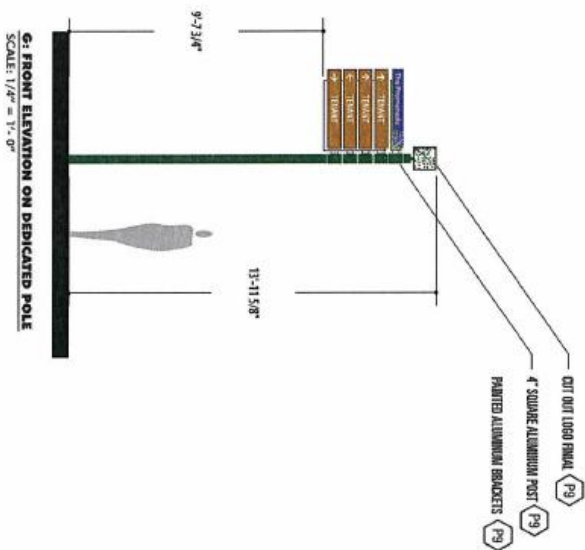
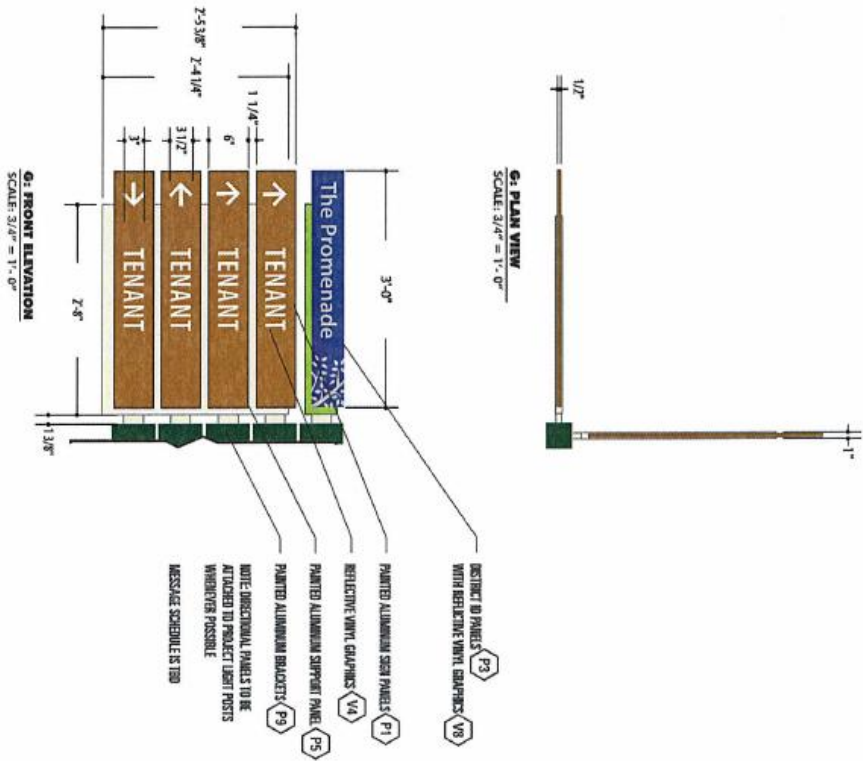
F2 BACK ELEVATION
SCALE: 1/2" = 1'-0"

F3 FRONT ELEVATION
SCALE: 1/2" = 1'-0"

<div><div>huc</div><div>46-8901</div></div>	PROJECT		THE VILLAGE AT ALLEN		DWG TITLE		VEHICULAR DIRECTIONAL		SCALE	DATE	REVISIONS		7.0								
	Exterior Sign System		Sign Type F																		
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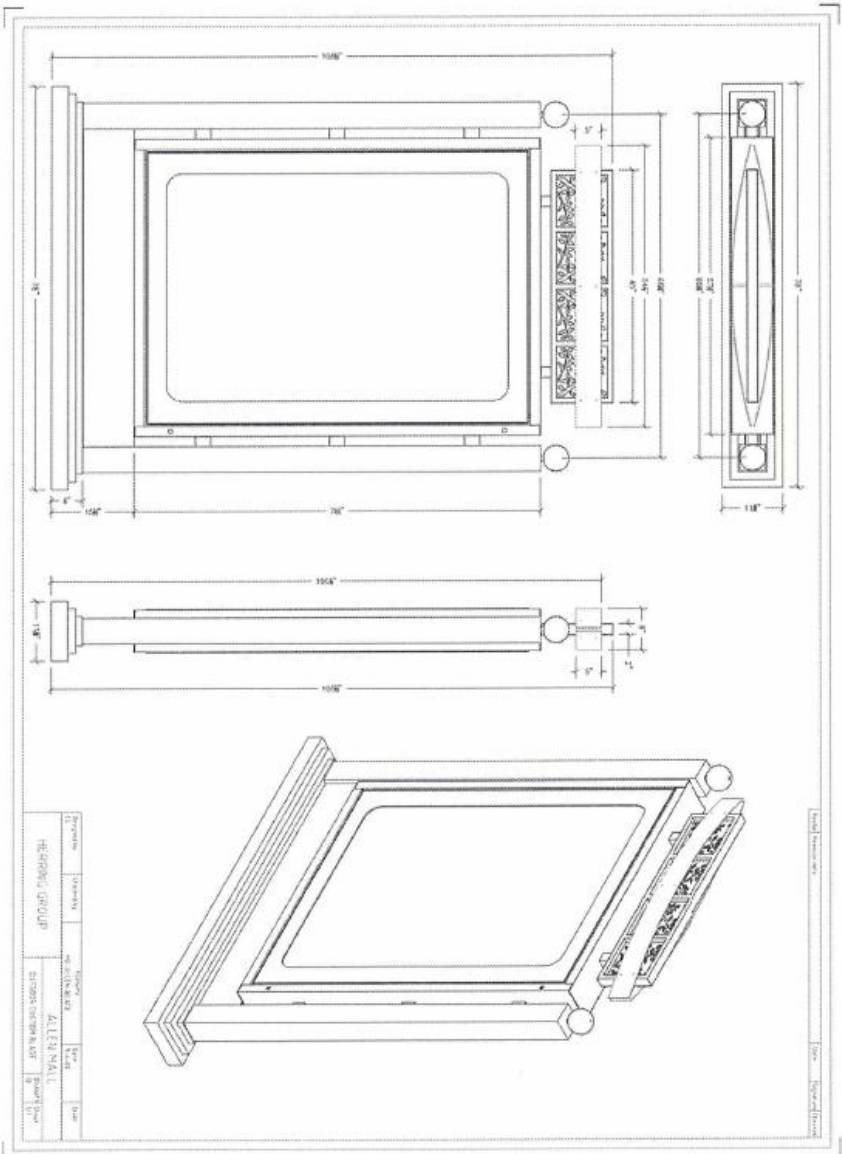
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<div> <div>INTEC</div> <div>45500</div> </div>	PROJECT THE VILLAGE AT ALEN		DWG TITLE		PEDESTRIAN DIRECTIONAL		SCALE		DATE		REVISIONS		1		2		3		8.0	
	ENTERING SIGN SYSTEM		Sign Type 6		AS NOTED		02-24-08		4		5		6		7					

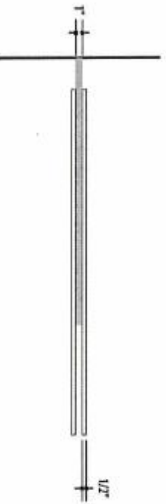
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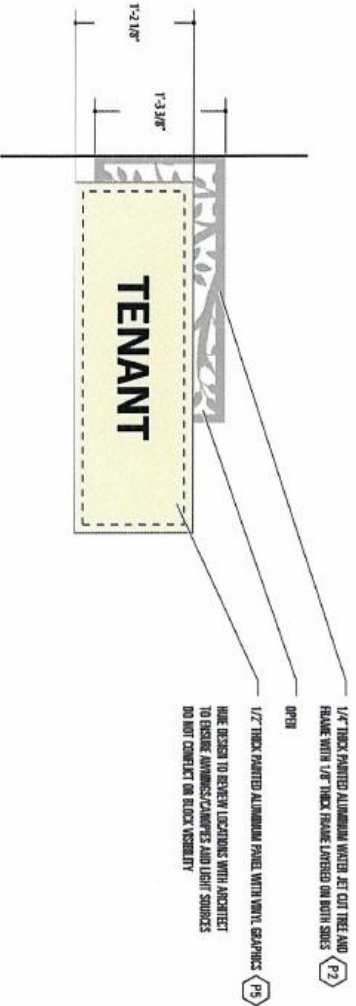
PROJECT THE VILLAGE AT ALLEN Euring Sign System	DWG TITLE Sign Type H	DIRECTOR	SCALE	DATE	REVISIONS		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576	577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592	593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608	609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624	625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640	641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656	657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672	673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688	689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704	705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720	721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736	737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752	753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768	769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784	785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800	801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816	817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832	833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848	849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864	865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880	881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896	897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912	913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928	929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944	945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960	961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976	977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992	993	994	995	996	997	998	999	1000	1001	1002	1003	1004	1005	1006	1007	1008	1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024	1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040	1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056	1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072	1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088	1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104	1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119
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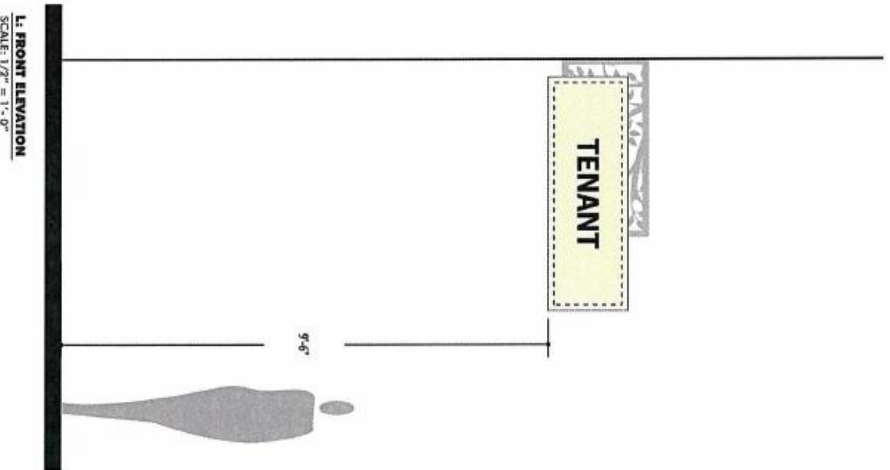
PROJECT THE BUILDERS AT ALLIAN Estate 501 Street	SERVICE DIRECTIONAL		10.0	
	ONE TITLE	SCALE	DATE	REVISIONS
501 1/2" x 1"	AS NOTED	02-24-03	1 2 3 4 5 6 7	1 2 3 4 5 6 7



L: PLAN VIEW
SCALE: 3/4\" = 1'-0"



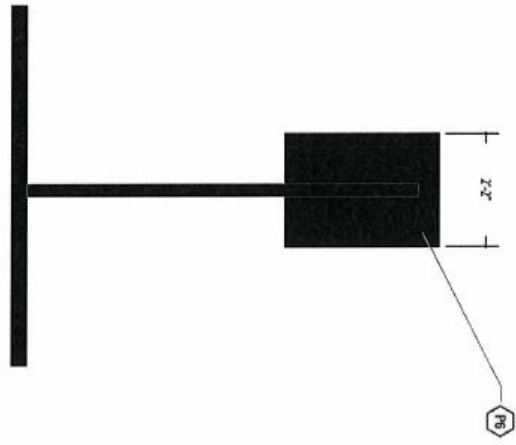
L: FRONT ELEVATION
SCALE: 3/4\" = 1'-0"



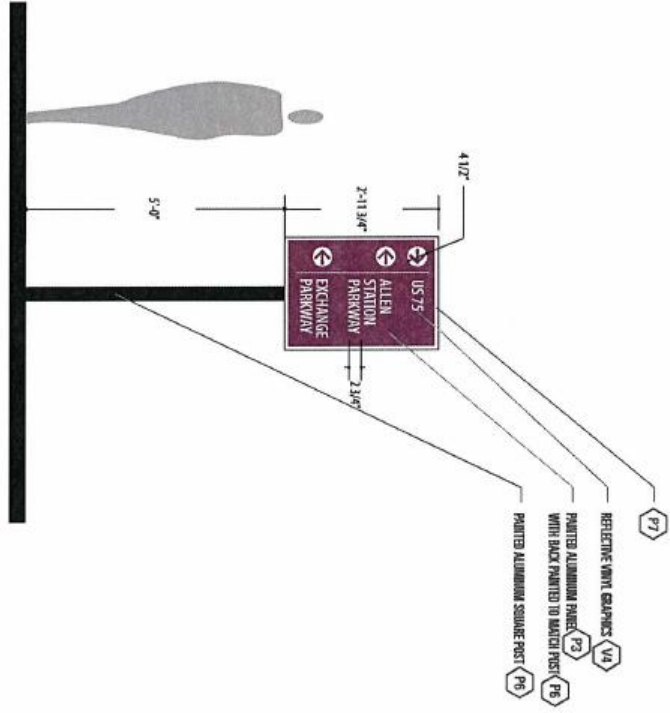
L: FRONT ELEVATION
SCALE: 1/2\" = 1'-0"

INVOICE DATE OF ISSUE	PROJECT THE VILLAGE AT ALLEN		OVER TITLE		SERVANT BLADE/CANOPY SIGN		SCALE		DATE		AS 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M: BACK ELEVATION
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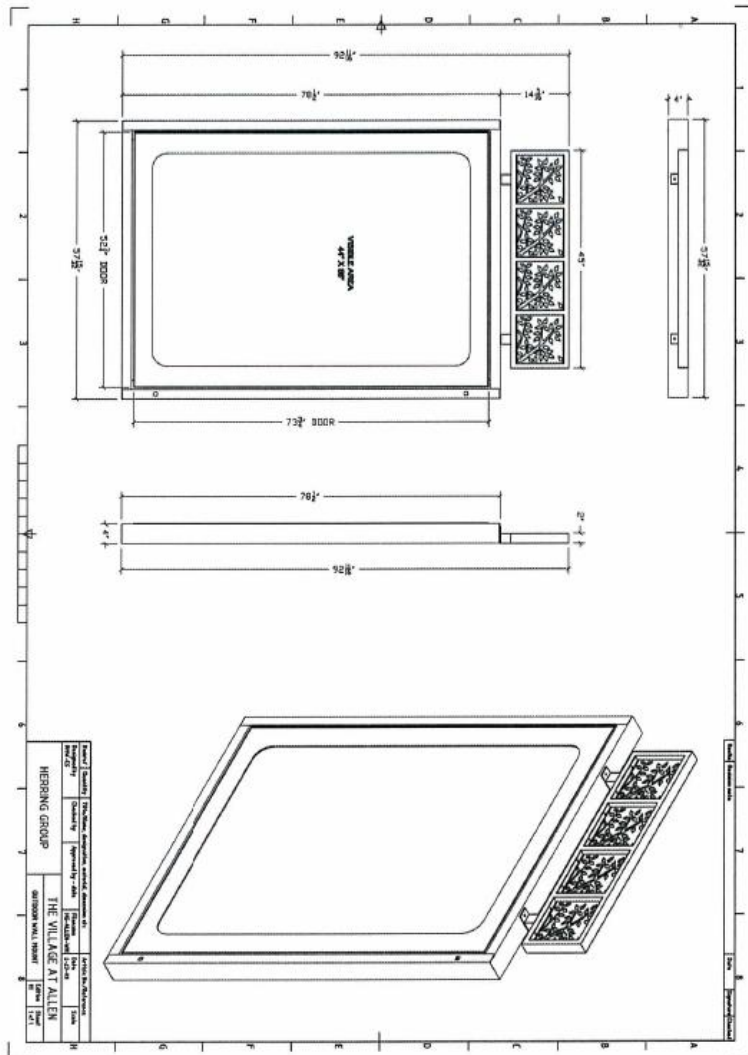
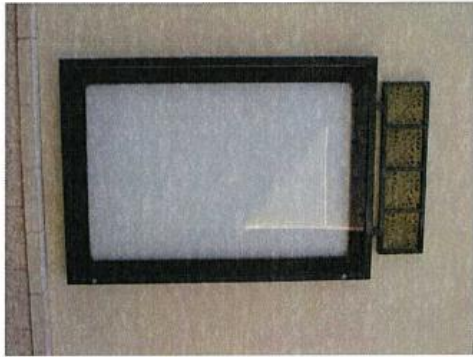


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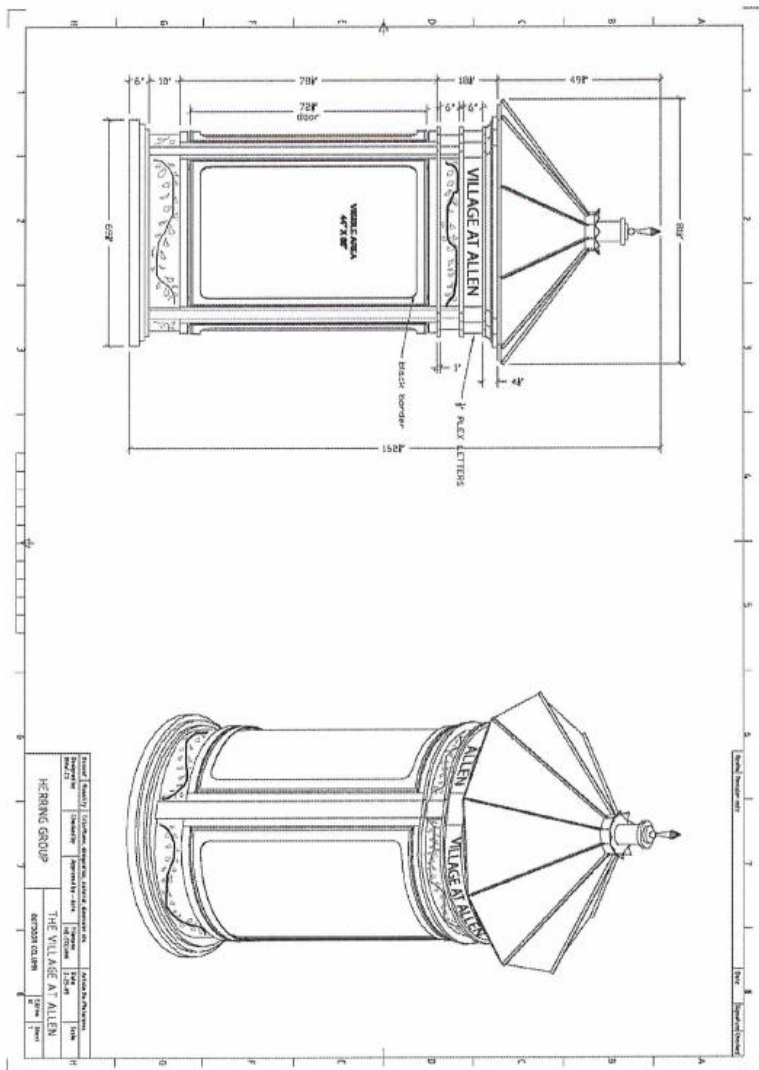


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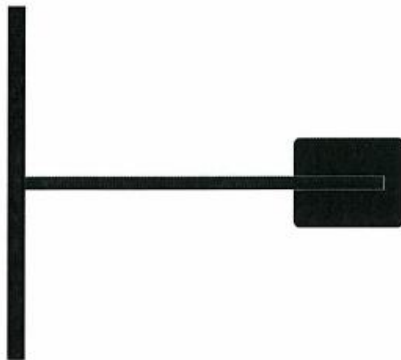
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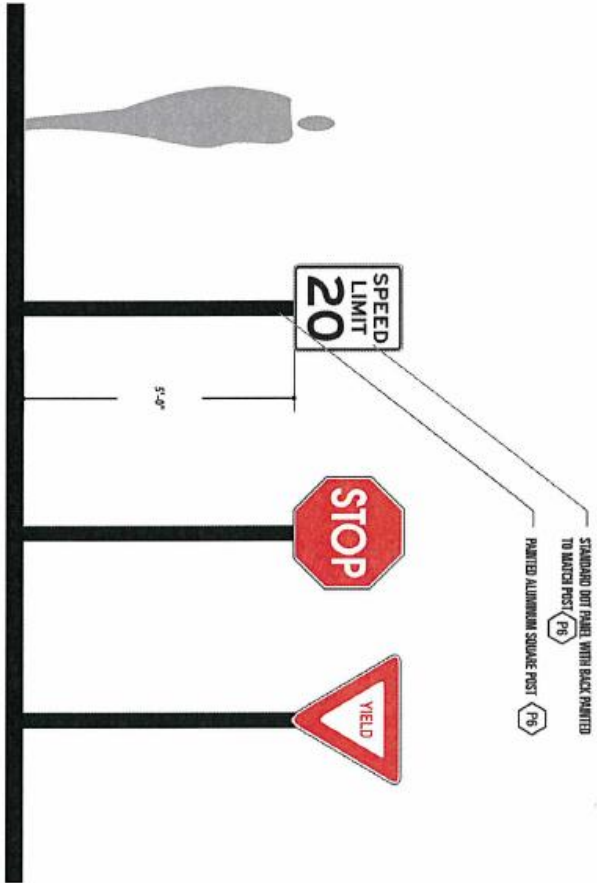
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R: BACK ELEVATION
SCALE: 1/2" = 1'-0"



R: FRONT ELEVATION
SCALE: 1/2" = 1'-0"



<div> <div>huc</div> <div>design</div> </div>		PROJECT	THE VILLAGE AT ALLEN	OWS TITLE	REGULATORY SIGN	SCALE	DATE	REVISIONS	1	2	3	15.0
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PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

AGENDA DATE:	April 7, 2009
SUBJECT:	Conduct a Public Hearing and consider a request for amendments to the Allen Land Development Code by amending Article V. Floodplain Hazard, to adopt new Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, to provide a penalty section, and make general clerical updates to the existing language.
STAFF RESOURCE:	Lee Battle, AICP, Assistant Director of Planning & Development Chris Flanigan, P.E., Assistant Director of Engineering
PREVIOUS BOARD/ COUNCIL ACTION:	None
PUBLIC NOTICE:	Newspaper notice published – March 19, 2009

BACKGROUND

The City of Allen is a participating community in the National Flood Insurance Program (NFIP); which is a federal program administered by the Federal Emergency Management Agency (FEMA) that makes flood insurance available to residents of Allen. In this program, Flood Insurance Rate Maps (FIRMs) are used to delineate specific areas of flooding hazard. The current maps used in Collin County are dated January 19, 1996. As part of a nationwide effort, FIRMs are being updated and the Collin County maps have now been updated and will be effective on June 2, 2009. These maps represent a considerable improvement over the older maps in the following respect:

1. The maps have improved technical accuracy through the use of improved topography.
2. New streets and boundaries are shown, which have changed considerably since 1996.
3. The maps are now digitized and able to be incorporated into our Geographic Information System (GIS) maps, providing seamless overlays with our existing aerial maps.

The NFIP requires that the floodplain ordinance (Article V of the Allen Land Development Code) be updated to adopt the latest version of FIRMs, which is a simple date change in the text of the code. Since a revision to this Article was being contemplated, a full review of the Article was initiated, to enhance:

1. Compliance and consistency with the Code of Flood Regulations (CFR)
2. Syntax
3. Clarity

The most substantive change in the proposed language is the addition of the last section to this Article, which relates to penalties. The section on penalties was added at the specific request of the Texas Water Development Board (TWDB), during a recent audit of our floodplain management program. The specific language was proposed by the TWDB and refined slightly by legal counsel.

STAFF RECOMMENDATION

Staff recommends approval

ATTACHMENTS

Proposed ALDC amendments
Newspaper Notice

ARTICLE V SPECIAL ZONES

Section 5.01. Floodplain Hazard.

Section 5.01.1. Purpose

It is the purpose of this ~~section~~ Article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. Assist in maintaining a stable tax base by providing for the sound use and development of flood-prone areas.
7. Insure adequate notification for purchasers of property.
8. Establish floodplain limits based on proposed fully developed watershed conditions;
9. Preserve the existing conveyance capacity of the floodplain;
10. Allow no rise in the base flood elevation.
11. Prevent the alteration or channelization of Rowlett Creek and all tributaries draining 160 acres or more except where required for safety and public welfare;
12. Limit the maximum average channel velocities to prevent excessive erosion which are dependent on specific channel, bed, and bank treatments.
13. Preserve stands of trees and other environmental features within the floodplain.

Section 5.01.2. Methods of Reducing Flood Losses.

In order to accomplish its purposes, this ~~ordinance~~ Article uses the following methods:

1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase flood damage;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

6. Prevents the construction of new private dwellings and regulates public and private facilities within the flood hazard area.
7. Require the platting and dedication of all land located within the ultimate 100-year floodplain.

Section 5.01.3. Definitions.

For purposes of this ~~section~~ Article, the following words and phrases shall have the meaning ascribed to such words or phrases unless the context indicates otherwise.

- Alluvial Fan Flooding - flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.
- Apex - point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.
- Area of Shallow Flooding - a designated AO, AH, [AR/AO](#), [AR/AH](#) or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, ~~and~~ where the path of flooding is unpredictable and where velocity flow may be evident. [Such flooding](#) ~~and is~~ characterized by ponding or sheet flow.
- Area of Special Flood Hazard - is the land in the floodplain subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM)
- Base Flood - the flood having a one percent chance of being equaled or exceeded in any given year.
- Base Flood-Ultimate Development - the flood having a one percent chance of being equaled or exceeded in any given year, based on a fully developed watershed. The data to be used for design and planning should be from the *City of Allen Linear Greenbelt Study*.
- Critical Feature - an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- Elevated Building - ~~is~~ a building without a basement
 - a. With a finished floor elevation or the lowest horizontal structural member elevated above the ground level by means of pilings, columns (posts and piers), or sheer walls parallel to the floor of the water; and
 - b. adequately anchored to maintain the structural integrity of the building during a 100-year flood event, and
 - c. includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters; or
 - d. a building where the lower area is enclosed by means of breakaway walls meeting National Flood Insurance Program standards.
- Existing Structures - structures commenced before the effective date of the FIRM or before January 1, 1975.
- [FEMA](#) – the Federal Emergency Management Agency
- Flood or Flooding - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.

- Flood Insurance Rate Map or (FIRM) - an official map of a community, on which the ~~Federal Emergency Management Agency~~ FEMA Administrator has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- Flood Insurance Study - ~~the official report provided by the Federal Emergency Management Agency (FEMA)~~ an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.
- Floodplain Administrator – the Director of Engineering or his/her designee
- Floodplain Management - the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.
- Floodplain Management Regulations - zoning ordinances, subdivision regulations, building codes, health regulations, ~~and~~ special purpose state or local regulations, ~~and other applications of police powers~~ which provide standards for the purpose of flood damage prevention and reduction.
- Flood Proofing - any combination of structural and non-structural additions, changes, or adjustments that reduce or eliminate flood damage to property.
- Floodway (Regulatory) - the channel of a river or watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
- Highest Adjacent Grade - ~~means~~ the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- Historic Structure - ~~means~~ any structure that is:
 - a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - ~~b~~ c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
 - ~~e~~ d. Individually listed on a local inventory ~~or~~ of historic places in communities with historic preservation programs that have been certified either:
 - i. By an approved state program as determined by the Secretary of the Interior or;
 - ii. Directly by the Secretary of the Interior in states without approved programs.
- Lowest Floor - the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking ~~or~~ of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; ~~provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 C.F.R. Sec. 60.3.~~
- Mean Sea Level - the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's ~~Flood Insurance Rate Map~~ FIRM are referenced.
- New Construction - structures commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

- Recreational Vehicle - a vehicle which is
 - a. built on a single chassis;
 - b. 400 square feet or less when measured at the largest horizontal projections;
 - c. designed to be self-propelled or permanently towable by a light duty truck; and
 - d. not designed as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- Substantial Damage - damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- Substantial Improvement - reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure, but does not include:
 - a. improvements to correct existing violations of state or local health, sanitary, or safety code specifications; or
 - b. Any alteration of a “historic structure”; provided the alteration does not preclude continued designation as a “historic structure”.
- Variance. - a grant of relief to a person from the requirement of this ordinance Article when specific enforcement would result in unnecessary hardship.
- Water Surface Elevation - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies.

Section 5.01.4. General Provisions.

1. The requirements of this section Article apply to all areas of special flood hazard within the City.
2. If any portion of a development of a drainage course, lies within 100 feet from the top of a high bank, or is identified as located within the 100-year floodplain on any Federal Insurance Rate Map (FIRM), a detailed study of the area is required. If the drainage area is 160 acres or greater, then the ultimate floodplain must be established. The Floodplain Administrator may require additional technical information prior to accepting the results of any study.
3. Floodplain areas will be platted and dedicated to the City, either separately or together with the adjacent property. The City may any decline any dedication of floodplain land, but may require the area to be maintained as private open space.
4. The areas of special flood hazard identified by FEMA in the current scientific and engineering report entitled, *The Flood Insurance Study (FIS) for Collin County, Texas and Incorporated Areas*, dated January-June 2, 1996-2009, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this Code.
5. The planning and design of structures adjacent to the base flood elevation should be based on ultimate development.
6. No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the provisions of this section Article or without securing a Development Permit.
7. In the interpretation and application of this ordinance Article, all provisions shall be:
 - a. considered as minimum requirements;
 - b. liberally construed in favor of the governing body; and
 - c. deemed neither to limit nor repeal any other powers granted under State statutes.

Section 5.01.5. Administration.

1. The ~~City Engineer~~ Director of Engineering is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ~~Code Article~~ and ~~other~~ appropriate sections of ~~44-CFR Title 44 of the Code of Federal Regulations relating to the local administration and enforcement of the~~ (National Flood Insurance Program ~~R~~regulations) pertaining relating to floodplain management.
2. The duties and responsibilities of the Floodplain Administrator include, but are not limited to, the following:
 - a. Maintaining and making available for public inspection all records pertaining to the enforcement of this ~~section Article~~.
 - b. Reviewing all development permit applications to determine whether any proposed building site, including the placement of a manufactured home, will be reasonably safe from flooding.
 - c. Reviewing, approving or denying applications for development permits required herein.
 - d. Reviewing permits for proposed development to assure that all necessary permits have been obtained from federal, state or local governmental agencies.
 - e. Interpreting the exact location of the boundaries of the areas of special flood hazards.
 - f. Notifying adjacent communities and the Texas Commission on Environmental Quality of any proposed alteration or relocation of a watercourse, and submitting evidence of such notification to the FEMA.
 - g. Requiring that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
 - h. When base flood elevation data has not been provided, ~~the Floodplain Administrator shall~~ obtaining, reviewing and utilizing data from any reasonable source to administer the provisions of this ~~section Article~~.
 - i. When a regulatory floodway has not been designated, ~~the Floodplain Administrator must require that no~~ prohibiting new construction, substantial improvements, or other development, including fill, ~~shall be permitted~~ within ~~Zones AI-30 and AE~~ the Special Flood Hazard Area shown on the City's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the ~~community~~ City.
 - j. ~~Approve~~ Ensuring that the developer of any development which increases the water surface elevation of the base flood by more than one foot ~~or encroaches into an established floodway, provided that the developer~~ secures a Conditional Letter of Map Revision (CLOMR) from FEMA ~~prior to commencement of construction~~.

Section 5.01.6. Permit Procedures; Appeals; Variances.

1. Application for a Development Permit required by this Article shall be presented to the Floodplain Administrator on forms furnished by the City and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures; (including the placement of manufactured homes), and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
 - a. Elevation in relation to mean sea level of the lowest floor (including basement of all new and substantially improved structures;

- b. Elevation in relation to mean sea level to which any non-residential structure shall be flood-proofed;
 - c. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
2. Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ~~section~~ Article and the following relevant factors:
 - a. The danger to life and property due to flooding or erosion damage;
 - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - c. The ~~danger that~~ potential for materials ~~may to~~ be swept onto other lands to the injury of others;
 - d. The compatibility of the proposed use with existing and anticipated development;
 - e. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
 - f. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 - g. The necessity ~~to of~~ the facility ~~of to have~~ a waterfront location, where applicable;
 - h. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - i. The relationship of the proposed use to the comprehensive plan for that area, and the guidelines contained in the Linear Greenbelt Study (Oct.1986).
 - j. Compliance with the Allen Drainage Criteria Manual;
 - k. Reasonable protection of flora and fauna, as otherwise provided in this Code.
3. Appeals.
 - a. The ~~Building & Standards~~ Planning & Zoning Commission shall hear and render judgment on an appeal of the denial of a Development Permit required by this Article only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ~~ordinance~~ Article.
 - b. Any person or persons aggrieved by the decision of the ~~Building & Standards~~ Planning & Zoning Commission may appeal such decision in the courts of competent jurisdiction.
 - c. The Floodplain Administrator shall maintain a record of all actions involving an appeal ~~and shall report variances to the FEMA upon request.~~
4. Variances
 - a. The Planning & Zoning Commission shall have the authority to grant variances from the regulations set forth in this Article as follows:
 - ~~d.~~ i. Variances may be issued ~~by the Building & Standards Commission~~ for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Code.
 - ~~e.~~ ii. The ~~Building & Standards~~ Planning & Zoning Commission may attach such conditions to the granting of variances, as it deems necessary to further the purpose and objectives of this ~~section~~ Article.

- f. ~~iii.~~ Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- g. ~~iv.~~ Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- a.b. ~~Prerequisites for~~ In order to granting a variances to this Article the Planning & Zoning Commission must make the following findings with respect to the application:
 - i. ~~Variances shall only be issued upon a determination that t~~The requested variance is the minimum necessary, considering the flood hazard, to afford relief being sought.
 - ii. ~~Variances shall only be issued upon,~~
 - (a)ii.The granting of the requested variance is for showing a good and sufficient cause;
 - (b)iii.a determination that The failure to grant the requested variance would result in exceptional hardship to the applicant, and
 - (c)iv.a determination that t The granting of a the requested variance will not result in increased flood elevation, additional threats to public safety, extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- iii.c. Any application for which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Section 5.01.7. Provisions for Flood Hazard Reduction.

1. General Standards.

All new construction and substantial improvement of structures and other improvements located in all areas of special flood hazards must comply with the following: ~~provisions are required for all new construction and substantial improvements.~~

- a. Improvements will be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- b. Improvements will be constructed by methods and practices that minimize flood damage;
- c. Improvements will be constructed with materials resistant to flood damage;
- d. Improvements will be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding.
- e. All new and replacement water supply systems will be designed to minimize or eliminate infiltration of flood waters into the system;
- f. New and replacement wastewater collection systems will be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
- g. On-site waste disposal systems shall be located to avoid impairment or contamination during flooding.

2. Specific Standards.

In all areas of special flood hazards where base flood elevation data has been provided, the following is required:

- a. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including the basement) to twenty-four inches above the base flood elevation. A registered professional engineer, architect or surveyor shall certify to the base slab or lowest structural member.
- b. Nonresidential Construction. New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to eighteen inches above the base flood ~~level or~~ elevation together with attendant utility and sanitary facilities, and be designed so that below the base flood ~~level~~ elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood-proofed shall be maintained by the Floodplain Administrator.
- c. Enclosures. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood-waters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - i. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - ii. the bottom of all openings shall be no higher than one foot above grade;
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

3. Floodways.

The following provisions apply to floodways:

- ~~1.~~a. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the City during the occurrence of the base flood discharge and FEMA has approved a Conditional Letter of Map Revision (CLOMR).
- ~~2.~~b. Any construction or substantial improvements will comply with the flood hazard reduction provisions of this ~~Section~~ Article.

4. Penalties for Non-Compliance

No structure or land shall hereafter be construed, located, extended, converted, or altered without full compliance with the terms of this Article V and other applicable regulations. Violation of the provisions of this Article V by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall

constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction be punished by a fine not to exceed \$2000 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Allen from taking such other lawful action as is necessary to prevent or remedy any violation.