

**AGENDA  
CITY OF ALLEN  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING – 7:00 P.M.  
TUESDAY, JUNE 15, 2010  
COUNCIL CHAMBERS  
ALLEN CITY HALL  
305 CENTURY PARKWAY  
ALLEN, TEXAS 75013**

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

**Pledge of Allegiance**

**Director's Report**

1. Action taken on the Planning & Zoning items by City Council at the June 8, 2010 City Council meeting.

**Consent Agenda** *(Routine P&Z business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Commission member or member of staff.)*

2. Approve minutes of the June 1, 2010 regular meeting.

**Regular Agenda**

3. Replat/Public Hearing – Conduct a Public Hearing and consider a Replat of Allen Station Business Park, Phase II, Lots 1 and 2, Block 1, for Cabela's. The property is 20.7277± acres in the City of Allen, Collin County, Texas; located at the southwest corner of Cabela Drive and Allen Station Parkway. (R-6/8/10-41) [Cabela's]
4. Public Hearing - Conduct a Public Hearing and consider a request to create PD Planned Development No. 106 for CF Community Facilities for a public safety radio tower. The property is 5.974± acres situated in the James T. Roberts Survey, Abstract No. 777, Stacy Road Pump Station, City of Allen, Collin County, Texas; located east of Greenville Avenue and south of Stacy Road. (Z-6/1/10-40) [Stacy Road Public Safety Radio Tower]
5. Public Hearing - Conduct a Public Hearing and consider a request to add 4.825± acres from Tract 2, PD Planned Development No. 45 to PD Planned Development No. 73 for SC Shopping Center, and to amend the Sign Plan, Concept Plan and Development Regulations for PD Planned Development No. 73. The property is 181.341± acres located in the Village at Allen, Lots 1,2,3,4,5,6A,7A-1, 7B, 7C, 7D, 7E, 7F, 7G, and 7H, Block A; and lots 1A, 1B, 1C, 1D, and 2A, Block B; and 4.825± acres located in the F. Wilmeth Survey, Abstract No. 999, and the L. Pegues Survey, Abstract No. 702; City of Allen, Collin County, Texas; located south of Stacy Road and east of US75. (Z-12/28/09-99) [Village at Allen]

6. Public Hearing - Conduct a Public Hearing and consider a request for an SUP Specific Use Permit for a fueling station. The property is 4.83± acres situated in the F. Wilmeth Survey, Abstract No. 999, and the L. Pegues Survey, Abstract No. 702, located south of Cabela Drive and east of US75. (SUP-12/28/09-97) [Rudy's Fueling Station]
7. Preliminary Plat – Consider a Preliminary Plat for The Village at Allen, Lot 1, Block C, & Lot 1 & 2, Block D, being 6.120± acres located a the northeast corner of US75 and Cabela Drive. (PP-12/28/09-101) [Rudy's Fueling Station]
8. Public Hearing – Conduct a Public Hearing and consider a request to create PD Planned Development No. 105 and to adopt development regulations for the property. The property is 197.74± acres of land situated in the David H. Nix Survey, Abstract No. 668, the T.G. Kennedy Survey, Abstract No. 500, the James Wilcox Survey, Abstract No. 1017, and the Michael See Survey, Abstract No. 543, City of Allen, Collin County, Texas; located north and south of Bethany Drive and west of US75. (Z-4/23/10-31) [Montgomery Farm]

**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, June 11, 2010, at 5:00 p.m.

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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 6/08/10 City Council Meeting**

There was one item taken to the June 8, 2010 City Council meeting for consideration.

A Public Hearing was conducted and a request to create PD Planned Development No. 103 and adopt a Concept Plan, for Cabela's, was approved.



**PLANNING AND ZONING  
COMMISSION**

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**Regular Meeting  
June 1, 2010**

**ATTENDANCE:**

**Commissioners Present:**

Jeff Cocking  
Douglas Dreggors  
John Kelley  
Shirley Mangrum  
Steven Platt, Jr.  
James Rushing  
Robert Wendland

**Commissioners Absent:**

None

**City Staff Present:**

Ogden "Bo" Bass, AICP, Director of Planning & Development  
Lee Battle, AICP, Assistant Director of Planning & Development  
Helen-Eve Liebman, AICP, Senior Planner  
Tiffany McLeod, Planner  
Chris Flanigan, P.E., Assistant Director of Engineering  
Whitt Wyatt, Attorney

**Call to Order and Announce a Quorum is Present:**

With a quorum of the Commissioners present, Chairman Wendland called the meeting to order at 7:00 p.m. in the City Hall Council Chambers at Allen City Hall, 305 Century Parkway.

**Director's Report**

1. Director's Report is attached for action taken on the Planning & Zoning items by City Council at the May 25, 2010 City Council meeting.

**Consent Agenda**

2. Approve minutes of the May 18, 2010 regular meeting.
3. Final Plat – Consider a Final Plat for Stacy-Chelsea Commercial Addition, Lot 1, Block A, being 1.728± acres situated in the Francis Dasser Survey, Abstract No. 280, City of Allen, Texas; located at the northwest corner of Stacy Road and Chelsea Boulevard. (FP-5/3/10-35) [Racetrac]

**Motion:**        **Upon a motion by Commissioner Cocking, and a second by Commissioner Rushing, the Commission voted 7 IN FAVOR, and 0 OPPOSED, to approve the Consent Agenda. The motion carried.**



## **Regular Agenda**

**Agenda Item #4:** Public Hearing - Conduct a Public Hearing and consider a request to amend a portion of Tract 7, in PD Planned Development No. 58, by amending the Development Regulations and adopt a Concept Plan. The property is 67.115± acres situated in the Lewis Wetsel Survey, Abstract No. 978, and the Henry Wetsel Survey, Abstract No. 1026, and Lot 2, Block A, Allen Educational Park, City of Allen, Collin County, Texas; located west of Greenville Avenue between Exchange Parkway and Rivercrest Boulevard. (Z-2/1/10-9) [Allen Independent School District Multipurpose Stadium]

Due to a conflict of interest, Chairman Wendland recused himself from this item and turned the meeting over to Vice-Chairman Rushing for Commission consideration.

Helen-Eve Liebman, Senior Planner, presented to the Commission. The property is located north and east of Rivercrest Drive, west of Greenville Avenue, south of Exchange Parkway. The property to the north and east is zoned PD Planned Development No. 58 for SC Shopping Center and MF Multifamily Residential. The property to the west and south is zoned PD Planned Development No. 58 for CF Community Facilities. The property to the east is zoned AO Agriculture-Open Space, LR Local Retail, and O Office. The property to the east across Greenville Avenue is zoned CF Community Facilities and PD Planned Development No. 1 for R-5.

The property is currently zoned PD Planned Development No. 58 for CF Community Facilities and the Allen Independent School District AISD has requested an amendment to the PD Planned Development to allow for design standards for the multi-purpose stadium. The PD Development Regulations have identified a maximum building height of 120 feet. The exterior building materials are proposed to provide a primarily masonry structure with use of metal materials being limited to 17 percent of the facade.

The score board signage proposed includes a primary and secondary score board. The primary score board is a stop motion LED and the secondary score board is a marquee LED with programmable fade/scroll message and graphics and will be limited to one change of the message per hour. Building signage is detailed in the building elevations.

A cellular telephone tower is proposed as a free standing tower with a height not to exceed 125 feet. An accessory structure housing associated equipment for the cellular tower has also been provided for.

The overall architectural style and function of the proposed stadium is compatible with the overall campus. The Concept Plan and PD Development Regulations have been reviewed by the Technical Review Committee and the request complies with the *Allen Land Development Code*.

Staff recommends approval.

**Chairman Wendland opened the Public Hearing.**

**With no one wishing to speak, Chairman Wendland closed the Public Hearing.**

Commissioner Cocking asked if the cell tower location was flexible. Ms. Liebman answered that the Concept Plan shows the cell tower location. If this location changes the Concept Plan would have to be scrutinized.

Commissioner Cocking recommended adding wording to Exhibit A, Paragraph 6 to specifically state that the changing of the fade/scroll message applies to the north side of the north scoreboard. Ms. Liebman stated the wording will be added.

Commissioner Rushing asked if the cell tower was covered. Ms. Liebman answered the proposed tower is a monopole type. It will be screened with an 8 ft. masonry wall and landscaping.

**Motion:**        **Upon a motion by Commissioner Cocking, and a second by Commissioner Mangrum, the Commission voted 6 IN FAVOR, 0 OPPOSED to recommend approval of the request to amend a portion of Tract 7, in PD Planned Development No. 58, by amending the Development Regulations and adopt a Concept Plan with the following condition:**

- **Exhibit A, Paragraph 6 will include a reference that limits the changing of the fade/scroll message and graphics, occurring no more than once per hour, to the north side of the north scoreboard**

**The motion carried.**

**Agenda Item #5:**        Public Hearing - Conduct a Public Hearing and consider a request to create PD Planned Development No. 103, SC Shopping Center, and adopt a Concept Plan for Cabela's by rezoning 12.88± acres from PD Planned Development No. 58, Tract 2A for LI Light Industrial and 1.12± acres from PD Planned Development No. 73 for SC Shopping Center. The property is 14.0± acres of land situated in the L.K. Pegues Survey, Abstract No. 702, the F.C. Wilmeth Survey, Abstract No. 999, and the Henry Wetsel Survey, Abstract No. 1026; City of Allen, Collin County, Texas; located south of Village Drive and west of Allen Station Parkway. (Z-5/5/10-36) [Cabela's]

Ogden "Bo" Bass, Director of Planning and Development, presented to the Commission. The property is currently zoned PD Planned Development No. 73 for Shopping Center and PD Planned Development No. 58 for LI Light Industrial. The request is to rezone the property to PD Planned Development No. 103 SC Shopping Center and adopt a Concept Plan for Cabela's. Cabela's is proposing to build a ± 105,812 square foot Next Generation store on the 14 acre site. The Concept Plan for the site provides for a main entrance from Cabela Drive and secondary access from Allen Station Parkway. Elements illustrated on the Concept Plan include boat display/storage, RV parking, a dog kennel, and a boat hoist. A Landscape Plan for the site has been included in the PD Planned Development to address landscape requirements. Building elevations provide a visual of the proposed building facade, building materials, boat hoist, and outdoor boat storage. Site Sections have been included to ensure the proposed visual screening along Allen Station Parkway is adequate. Screening elevations propose alternative screening. The proposed parking lot lighting has also been included in the Planned Development.

The ALDC allows for one monument for a site and the applicant has proposed two monument signs.

Staff recommends approval subject to the following:

1. The dog kennel shall have a low heat/low ray mesh on the roof and three sides of the kennel. Signage must also include that owners are responsible for pet's behavior and Cabela's may request an owner to remove a pet from the kennel at any time. *The applicant has agreed to this.*
2. Staff recommends the asphalt roofing material be replaced with a standing seam metal roof for aesthetics. *The applicant has agreed to this.*
3. The PD Development Regulations for the monument sign dimensions shall be revised to correspond to the sign elevation. A maximum sign height of eight feet, a maximum copy area of 100 square feet per face, and a maximum structure of 200 square feet each face. *The applicant has agreed to the maximum sign height being 8 feet.*

Commissioner Dreggors inquired about fuel sales for boats and RVs. Dennis Armstrong, Corporate Architect, Cabela's, stated that fueling is not being proposed at this location.

Commissioner Dreggors asked if a dump station is being provided. Mr. Bass answered yes. The dump station location is shown on the Concept Plan.

Commissioner Dreggors asked if RV's would be allowed to park overnight. Mr. Armstrong answered that Cabela's would follow local jurisdiction. There would be no overnight parking since it is not allowed in the City.

Commissioner Platt inquired about horses in the kennel area. Mr. Bass stated a horse corral is still under discussion; therefore has not been identified on the Concept Plan.

**Chairman Wendland opened the Public Hearing.**

**With no one wishing to speak, Chairman Wendland closed the Public Hearing.**

The following people submitted a written statement in support of the request:  
Andrews Family Properties, LLC, 1300 Allen Station Parkway, Allen, Texas

**Motion:** Upon a motion by Commissioner Platt, and a second by Commissioner Dreggors, the Commission voted 7 IN FAVOR, and 0 OPPOSED, to approve the request to create PD Planned Development No. 103, SC Shopping Center, and adopt a Concept Plan for Cabela's with the following staff recommendations:

1. The dog kennel shall have a low heat/low ray mesh on the roof and three sides of the kennel. Signage must also include that owners are responsible for pet's behavior and Cabela's may request an owner to remove a pet from the kennel at any time.
2. Staff recommends the asphalt roofing material be replaced with a standing seam metal roof for aesthetics.
3. The PD Development Regulations for the monument sign dimensions shall be revised to correspond to the sign elevation. A maximum sign height of eight feet, a maximum copy area of 100 square feet per face, and a maximum structure of 200 square feet each face.

**The motion carried.**

**Agenda Item #6:** Public Hearing - Conduct a Public Hearing and consider a request to amend the sign plan for PD Planned Development No. 99. The property is 63.24± acres in the T.G. Kennedy Survey, Abstract No. 500, Michael See Survey, Abstract No. 543, and the Rufus Sewell Survey, Abstract No. 875, City of Allen, Collin

County, Texas; located southwest of Bethany Drive and US75. (Z-4/23/10-32)  
[Watter's Creek at Montgomery Farm]

Helen-Eve Liebman, Senior Planner, presented to the Commission. The property is located at the southwest corner of US75 and Bethany Drive and is zoned Planned Development District PD No. 99 for Mixed uses. The property to the north, across Bethany Drive, is zoned PD Planned Development No. 55 for C/O Commercial/Office uses. The property to the west is zoned PD Planned Development No. 76 for LR Local Retail and TH Town Home uses; PD Planned Development No. 74 for O Office uses; and PD Planned Development No. 66 for C Commercial uses. The property to the south is zoned FP-O Flood Plain- Office. The property to the east, across US75, is zoned LI-C Light Industrial-Conditional.

The PD Planned Development District for this development, Watters Creek, includes a Sign Plan. The proposed amendment is to provide for an industry standard LED Pylon sign in a previously approved location. The proposed height of the structure is 52 feet and the proposed width is 50 feet. The maximum copy area per side is proposed as 980 square feet and the maximum structure size is 2,080 square feet. The LED area is not to exceed 700 square feet per side.

This is a public/private partnership and the plan has been reviewed by the Technical Review Committee.

Staff recommends approval.

Commissioner Dreggors inquired about the highest building height in the area. Harold Dull, General Manager of Watters Creek at Montgomery Farm, stated the height of the highest building is 55 feet. Commissioner Dreggors continued by asking if the sign height would be above that building height. Mr. Dull answered that the height relation is yet to be determined. Ms. Liebman added that the original PD ordinance specifies three ways in which the height could be measured.

Commissioner Mangrum asked if this sign is larger than the sign at the Village at Allen. Ms. Liebman answered that the proposed sign is bigger.

**Chairman Wendland opened the Public Hearing.**

**With no one wishing to speak, Chairman Wendland closed the Public Hearing.**

Commissioner Kelley asked why the applicant is requesting this increase. Ms. Liebman answered that the proposed sign is an industry standard sign. The sign proposed previously would be a custom sign and much more expensive to construct.

Commissioner Platt asked if the sign will operate under City standards. Ms. Liebman answered the sign will operate under TxDOT standards.

**Motion: Upon a motion by Commissioner Mangrum and a second by Commissioner Rushing, the Commission voted 7 IN FAVOR, 0 OPPOSED to recommend approval of the request to amend the sign plan for PD Planned Development No. 99.**

**The motion carried.**

**Agenda Item #7:** Public Hearing - Conduct a Public Hearing and consider a request to create PD Planned Development No. 104 for CF Community Facilities for a church. The

property is 6.962± acres situated in the Lewis Wetsel Survey, Abstract No. 978, and being a part of Fountain Park First Section, City of Allen, Collin County, Texas; located at the northeast corner of Greenville Avenue and Rivercrest Boulevard. (Z-4/5/10-23) [Bethany Worship Center]

Ogden “Bo” Bass, Director of Planning and Development, presented to the Commission. The property is located north of Rivercrest Drive, east of Greenville Avenue, south of Thoreau Lane, and west of Lake Ridge Drive. The property to the north and east is zoned PD Planned Development No. 1 for R-5 Residential. The property to the west is zoned PD Planned Development No. 45 for CF Community Facilities. The property to the south is zoned PD Planned Development No. 6 for SC Shopping Center.

The property is currently zoned CF Community Facilities. The zoning request is to rezone the property to a new Planned Development PD district (with the base zoning being CF Community Facilities) in order to receive consideration for a screening alternative, access from a residential alley, and a Sign Plan. The zoning request includes a Concept Plan, Planned Development Regulations, a Sign Plan, and building elevations.

The applicant is requesting an alternative to the required eight (8) foot masonry screening wall along the north and east property boundaries. The alternative includes a continuous earthen berm with a 1:3 slope to include ornamental and shade trees to provide a visual screen. The Planning and Zoning Commission in January of 2009 and the City Council in February of 2009 reviewed and approved an amendment to the Allen Land Development Code ALDC clarifying that an eight (8) foot masonry screening wall is required between residential and nonresidential uses.

The second requested alternative is to allow access to the church from a residential alley. Should the masonry screening wall along the eastern property boundary be adhered to access would not be provided for due to the wall location. Additionally, the ALDC does not allow nonresidential vehicular alley access to occur from residential alley access.

The third element in the PD Planned Development is the proposed Sign Plan. The proposed signage satisfies requirements of the ALDC with the exception of the number of allowed monument signs. The ALDC allows for one monument sign for the site and the request is for two monument signs.

The Technical Review Committee (TRC) has reviewed the Concept Plan, PD Planned Development Regulations, Sign Plan, and building elevations for compliance with the Allen Land Development Code.

Staff recommends approval subject to the following:

1. Screening along the north and east property boundaries shall be provided in accordance with the Allen Land Development Code requirements. The Concept Plan and PD Planned Development Regulations require modification to address the requirement of an eight foot masonry screening wall along the property boundary.
2. The access from the residential alley shall be eliminated from the PD Planned Development Regulations and the Concept Plan.
3. The proposed Sign Plan approved as submitted.

Commissioner Dreggors asked if there were any plans for the northeast portion of the property. Mr. Bass answered the applicant has stated there are no anticipated plans.

Pastor Carl Tiner, Bethany Worship Center, Allen, Texas, spoke to the Commission. He stated the concept of the development is intended to be inviting to the neighborhood. A screening wall is not desired. In addition, the neighbors do not want a screening wall. The residents have signed a petition to

eliminate the screening wall requirement. Also, the alley access is intended to be a convenient access point for personal use.

Commissioner Dreggors inquired about plans to prevent people from parking on the property. Mr. Tiner believes the shrubbery and berm should be sufficient.

**Chairman Wendland opened the Public Hearing.**

**With no one wishing to speak, Chairman Wendland closed the Public Hearing.**

The following people submitted a written statement in support of the request:

Linda Saus, 603 Lake Ridge Drive, Allen, Texas

Robert DeVance, 610 Thoreau Lane, Allen, Texas

Lloyd Cox, 607 Lake Ridge Drive, Allen, Texas

Patsy Conner, 501 Lake Ridge Drive, Allen, Texas

Phil Johnson, 605 Thoreau Lane, Allen, Texas

Joe Hlavenka, 701 Cypress Drive, Allen, Texas

Sandra McDonald, 503 Lake Ridge Drive, Allen, Texas

Commissioner Cocking asked if the screening wall petition was received by staff. Mr. Bass stated petitions are for land use; not design.

**Motion: Upon a motion by Commissioner Mangrum, and a second by Commissioner Kelley, the Commission voted 6 IN FAVOR, and 1 OPPOSED (by Commissioner Rushing), to approve the request to create PD Planned Development No. 104 for CF Community Facilities for a church with the following recommendations:**

- 1. Screening along the north and east property boundaries shall be provided in accordance with the Allen Land Development Code requirements. The Concept Plan and PD Planned Development Regulations require modification to address the requirement of an eight foot masonry screening wall along the property boundary.**
- 2. The access from the residential alley shall be eliminated from the PD Planned Development Regulations and the Concept Plan.**
- 3. The proposed Sign Plan approved as submitted.**
- 4. Permission for the applicant to come forward with an alternative screening at the time of the City Council meeting.**

**The motion carried.**

### **Items of Interest**

None.

**Adjournment**

**Motion:        Upon a motion by Commissioner Dreggors and a second by acclamation the meeting adjourned at 8:25 p.m.**

These minutes approved this \_\_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
Robert Wendland, Chairman

\_\_\_\_\_  
Tiffany McLeod, Planner

### **Director's Report from 5/25/10 City Council Meeting**

There were no items taken to the May 25, 2010 City Council meeting for consideration.



<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
--------------------------------------------------------------

**AGENDA DATE:** June 15, 2010

**SUBJECT:** Conduct a Public Hearing and consider a Replat of Allen Station Business Park, Phase II, Lots 1 and 2, Block 1, for Cabela's. The property is 20.7277± acres in the City of Allen, Collin County, Texas; located at the southwest corner of Cabela Drive and Allen Station Parkway. [Cabela's]

**STAFF RESOURCE:** Helen-Eve Liebman, AICP  
Senior Planner

**PREVIOUS COMMISSION/  
COUNCIL ACTION:** December 2005 – Final Plat approved by P&Z

**BACKGROUND**

The property is located south of Cabela Drive and west of Allen Station Parkway. The property to the east and south is zoned PD Planned Development No. 58 for LI Light Industrial, the property to the north is zoned PD Planned Development No. 73 for SC Shopping Center, the property to the west is zoned PD Planned Development No. 45 for LC Light Commercial and PD Planned Development No. 58 for SC Shopping Center.

In December of 2005 a Final Plat for the property was approved for one lot. The property requires replatting in order to accommodate two lots for development. Lot 1, Block 1, the northern lot is for Cabela's and Lot 2, Block 1 is for an undetermined user at this time.

The Replat has been reviewed by staff and meets the requirements of the *Allen Land Development Code*.

**STAFF RECOMMENDATION**

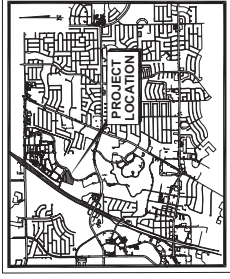
Approval

**ATTACHMENTS**

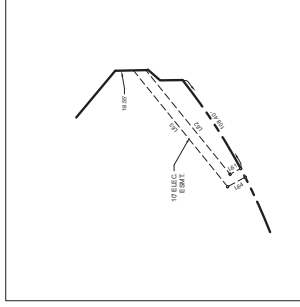
Replat

NOTES:

COORDINATES SHOWN ARE NAD 83, NORTH-CENTRAL TEXAS STATE PLANE COORDINATES.



VICINITY MAP



DETAIL B

Approved	Attest
Chairperson	Secretary
Planning & Zoning Commission	Planning & Zoning Commission
Date	Date
Executed Pro-forma	Date
Mayor	Date

The undersigned, the City Secretary of the City of Allen, Texas, hereby certifies that the foregoing Final Plat of the ALLEN STATION BUSINESS PARK, PHASE II, LOTS 1 AND 2, is a true and correct copy of the original Plat as the same was submitted to the Planning and Zoning Commission and approved by it on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

City Secretary, City of Allen

REPLAT  
ALLEN STATION BUSINESS PARK  
PHASE II

LOTS 1 AND 2, BLOCK 1  
BEING A REPLAT OF LOT 1, BLOCK 1  
ALLEN STATION BUSINESS PARK, PHASE II  
RECORDED IN CABINET P. PAGE 229  
BEING 20.7277 ACRES OUT OF THE  
L.K. PEGUES SURVEY, ABSTRACT NO. 702  
F.C. WEITSEL SURVEY, ABSTRACT NO. 999  
HENRY WEITSEL SURVEY, ABSTRACT NO. 1026  
CITY OF ALLEN, COLLIN COUNTY, TEXAS



Scale	Drawn By	Checked By	Date	Project No.	Sheet No.
1" = 40'	DAB	TBB	05/02/2016	00000001	1 OF 2

APPLICANT  
Cabela's Wholesale, Inc.  
12760 Park Creek Drive, Suite 1800  
Frisco, TX 75034  
Phone (972) 335-3779  
Fax (972) 335-3778

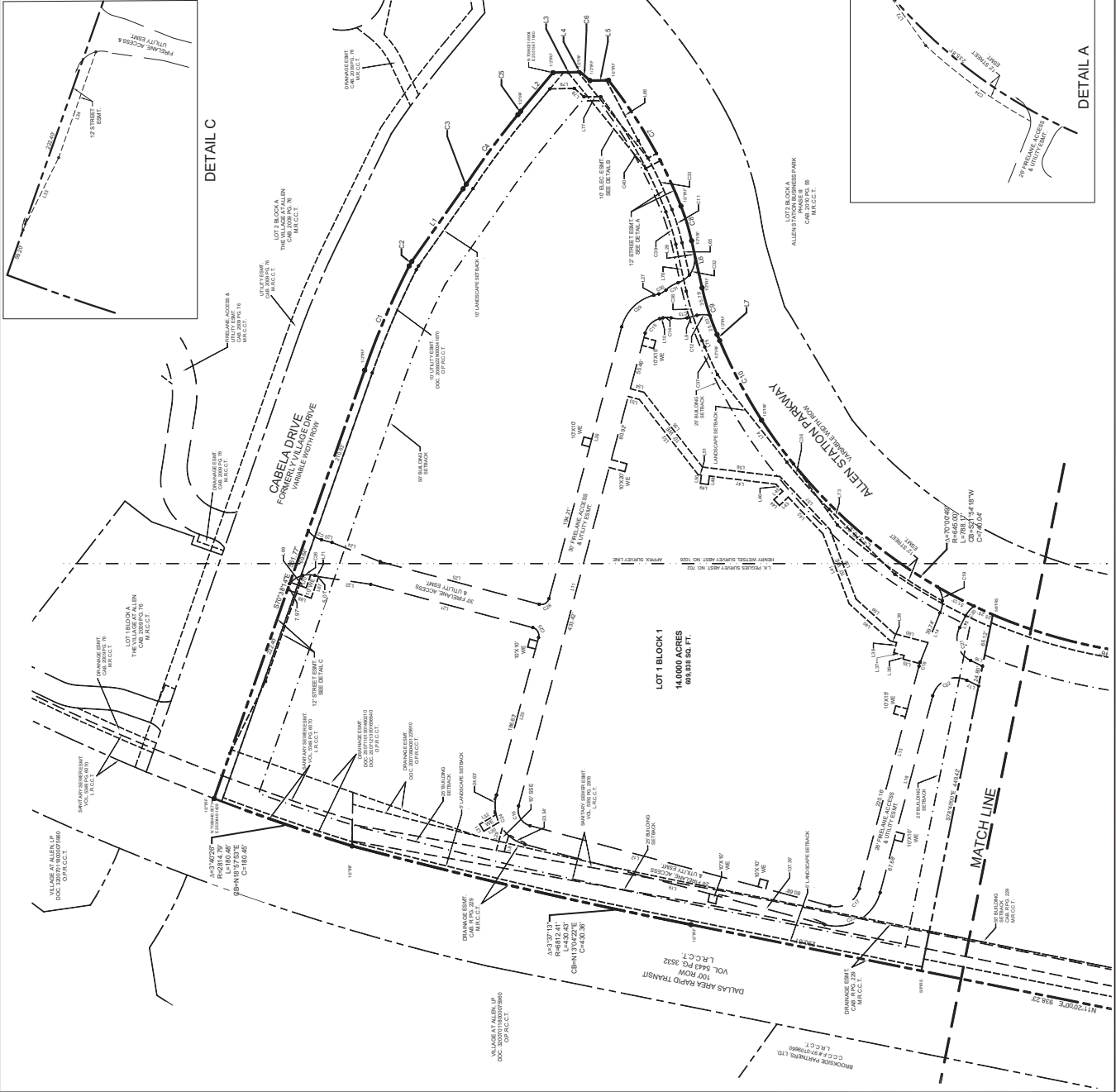
OWNER  
Andrew Family Properties, LLC  
12760 Park Creek Drive, Suite 1800  
Frisco, TX 75034  
Phone (972) 335-3779  
Fax (972) 335-3778

ENGINEER  
Kinley-Horn and Associates, Inc.  
5750 Commerce Court, Suite 200  
Frisco, Texas 75034  
Phone (972) 335-3779  
Fax (972) 335-3778  
Contact: David Kocalska, P.E.



GRAPHIC SCALE IN FEET  
1" = 40'

DETAIL A





## PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

**AGENDA DATE:** June 15, 2010

**SUBJECT:** Conduct a Public Hearing and consider a request to create PD Planned Development No. 106 for CF Community Facilities for a public safety radio tower. The property is 5.974± acres situated in the James T. Roberts Survey, Abstract No. 777, Stacy Road Pump Station, City of Allen, Collin County, Texas; located east of Greenville Avenue and south of Stacy Road. (Z-6/1/10-40) [Stacy Road Public Safety Radio Tower]

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

**PREVIOUS COMMISSION/  
COUNCIL ACTION:** None

**LEGAL NOTICES:** Public Hearing Sign installed on property – 6/4/10  
Property Owner Notices mailed – 6/4/10

### **BACKGROUND**

The property is currently zoned CF Community Facilities and currently accommodates three ground water storage tanks with associated buildings and accessory uses. The property is located south of Stacy Road and east of Greenville Avenue. The property to the east and south is zoned R-7 Residential. The property to the west is zoned SC Shopping Center. The property to the north across Stacy Road is the Town of Fairview.

The City of Allen is required to provide a Public Safety Radio Tower and site investigations determined the Stacy Road Pump Station location as the best suited location. The City is proposing to construct a 250’ tri-pole tower site to support the microwave and radio equipment at 700 E. Stacy Road.

The proposal is to locate the tower south of the northwestern ground storage tank as illustrated on the attached Concept Plan. The tower will be 250 feet in height and will include a lightning rod with an overall permitted maximum height of 280 feet. The facility will be accompanied by a 15’ x 20’ concrete shelter to house the radio equipment. A Landscape Plan is a part of the PD Planned Development to address the provision of landscape screening.

The Technical Review Committee TRC has reviewed the request for the required public safety radio tower and it complies with the Allen Land Development Code ALDC.

### **STAFF RECOMMENDATION**

Approval

### **ATTACHMENTS**

PD Planned Development Regulations  
Concept Plan  
Elevations  
Landscape Plan  
Property Owner Notification Map

**Public Safety Radio Tower  
Stacy Road Pump Station  
Planned Development Regulations**

1. CONCEPT PLAN: Tract shall be developed in general conformance with the Concept Plan.
2. MAXIMUM OVERALL STRUCTURE HEIGHT: The Maximum Overall Structure Height shall not exceed two hundred eighty feet (280') in height measured from exterior grade at the building perimeter.
3. LANDSCAPE PLAN: Tract shall be developed in general conformance with the Landscape Plan.
4. ELEVATIONS: Tract shall be developed in general conformance with the Elevations.

FOR  
ONLY  
INFORMATION

CONSOLIDATED  
TELECOM  
SERVICES

TEXAS FIRM REGISTRATION # 13415



STACY ROAD

SET ISSUED FOR  
REVIEW

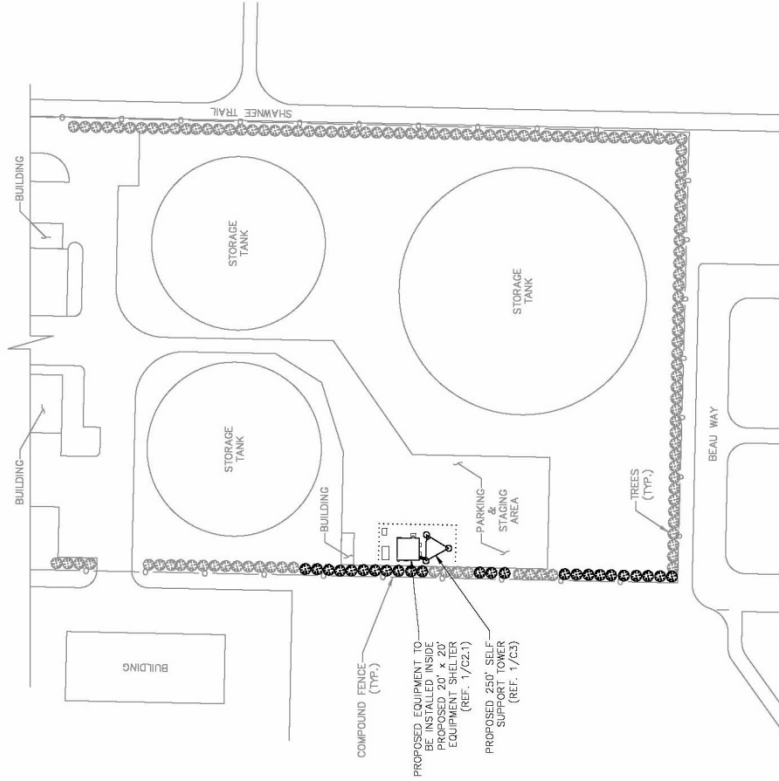
DATE  
08/09/10

REVISIONS

NO. DATE DESCRIPTION

CONCEPT PLAN  
FOR PLANNED  
DEVELOPMENT

C2





NOTES:

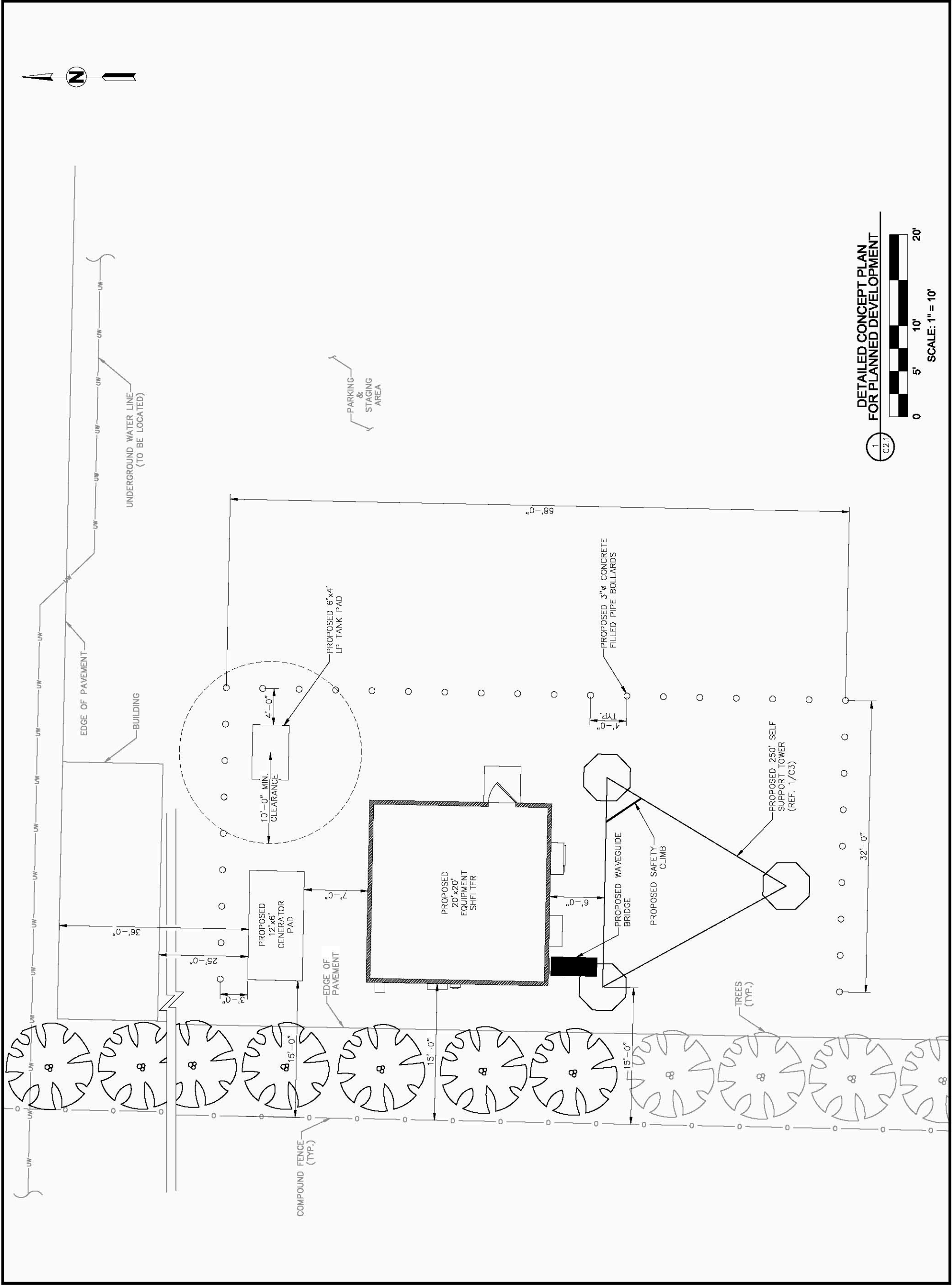
The screening mesh located on the fencing shall be kept in a good state of repair and appearance.  
The landscaped areas shall be irrigated.

CONCEPT PLAN  
FOR PLANNED DEVELOPMENT



SCALE: 1" = 100'

<div style="text-align: center;">  <p><b>MOTOROLA</b></p> </div> <div style="text-align: center;"> <p>STACY ROAD</p> </div>		<div style="display: flex; justify-content: space-between;"> <div> <p><b>SET ISSUED FOR</b></p> <p>REVIEW</p> </div> <div> <p><b>DATE</b></p> <p>06/09/10</p> </div> </div>																															
<div style="text-align: center;">  <p><b>CONSOLIDATED TELECOM SERVICES</b></p> </div> <div style="text-align: center;"> <p>TEXAS FIRM REGISTRATION # 10415</p> </div>		<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DATE	DESCRIPTION																											
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<div style="text-align: center;"> <p><b>FOR INFORMATION ONLY</b></p> </div>		<div style="text-align: center;"> <p><b>DETAILED CONCEPT PLAN FOR PLANNED DEVELOPMENT</b></p> </div>																															
		<div style="text-align: center;"> <p><b>C2.1</b></p> </div>																															












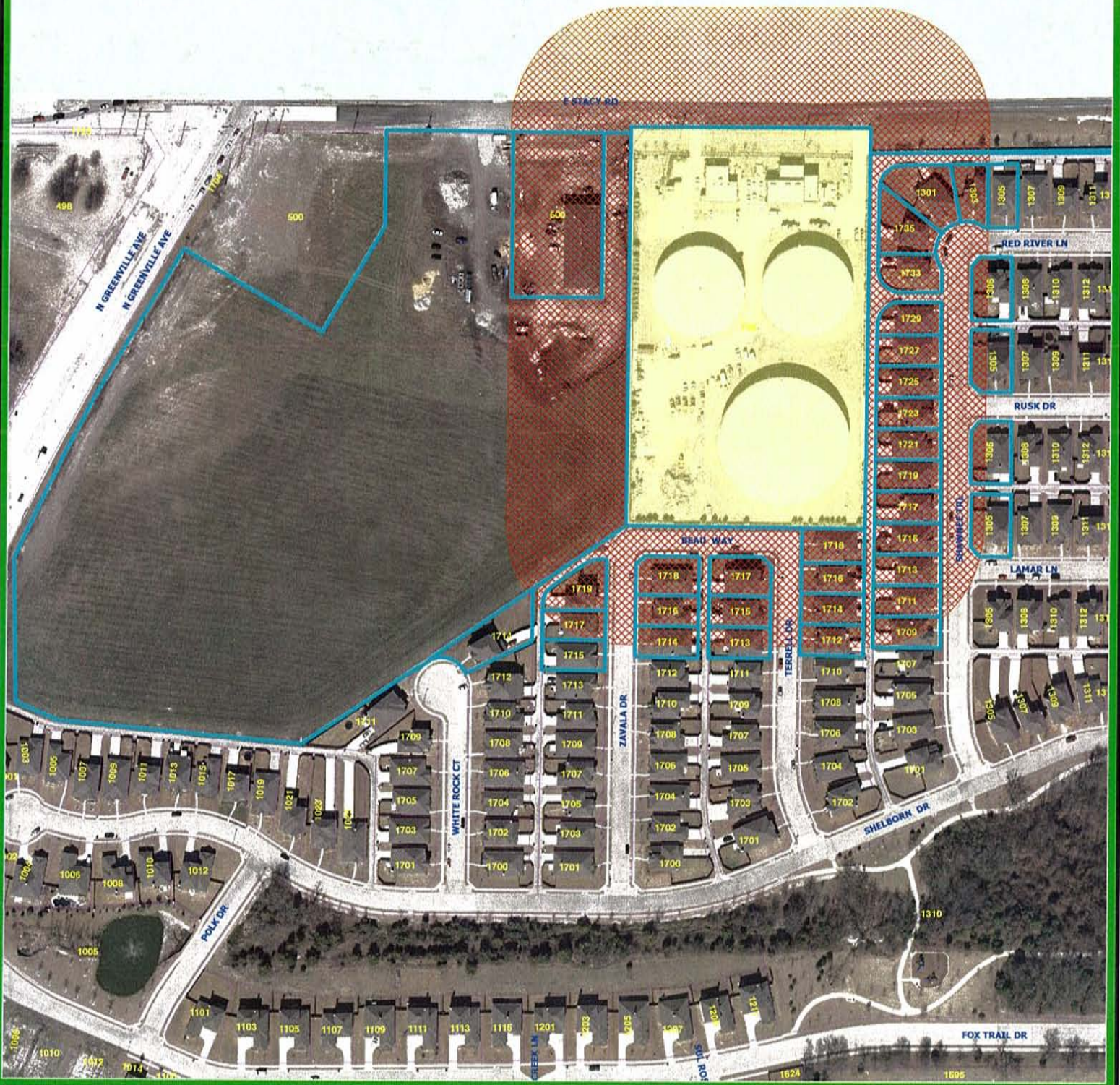
- 'A'  LEYLAND CYPRRESS (ORIGINAL 2002 PLANTING; 10' HEIGHT  $\frac{1}{4}$ , 8' SPREAD  $\frac{1}{2}$ %)

# LANDSCAPE PLAN



SR-5 HWY

Potential



Stacy Road Pump Station  
Property Ownership Notification

**Map Legend**

- Proposed Rezone Parcel
- Railroad
- City Limit
- Property Boundary



Planning & Development - 0318  
Revision Date: 04/2010





<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
--------------------------------------------------------------

**AGENDA DATE:**

June 15, 2010

**SUBJECT:**

Conduct a Public Hearing and consider a request to add 4.825± acres from Tract 2, PD Planned Development No. 45 to PD Planned Development No. 73 for SC Shopping Center, and to amend the Sign Plan, Concept Plan and Development Regulations for PD Planned Development No. 73. The property is 181.341± acres located in the Village at Allen, Lots 1,2,3,4,5,6A,7A-1, 7B, 7C, 7D, 7E, 7F, 7G, and 7H, Block A; and lots 1A, 1B, 1C, 1D, and 2A, Block B; and 4.825± acres located in the F. Wilmeth Survey, Abstract No. 999, and the L. Pegues Survey, Abstract No. 702; City of Allen, Collin County, Texas; located south of Stacy Road and east of US75. (Z-12/28/09-99) [Village at Allen]

**STAFF RESOURCE:**

Ogden “Bo” Bass, AICP  
Director of Planning and 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, and an amendment to PD73, amending the sign plan, was approved by City Council in April, 2009. PD45, Tract 1 for CC Corridor Commercial and Tract 2 for LC Light Commercial, was approved by City Council in July, 1987.

**LEGAL NOTICES:**

Public Hearing Sign installed on property – 6/4/10  
Property Owner Notices mailed – 6/4/10

**BACKGROUND**

The property is located south of Stacy Road, east of US 75, north and south of Allen Station Parkway. The property to the east is zoned CC Corridor Commercial and R-5 Residential. The property to the south is zoned R7 and R5 Residential, PD Planned Development No. 103 for SC Shopping Center, and PD Planned Development No. 58 for LI Light Industrial.

The property is currently zoned PD Planned Development No. 73 for SC Shopping Center and PD Planned Development No. 45 LC Light Commercial. The applicant is requesting to remove 4.825± acres from PD Planned Development No. 45 and add it to their development The Village at Allen PD Planned Development NO. 73 for continuity in the planning and development of the property.

The request includes an updated Concept Plan for the property illustrating anticipated future users for the property. The Concept Plan also identifies the addition of Tracts 3 and 4 reflecting the addition of those tracts into the PD Planned Development.

The PD Planned Development Regulations have been modified to accommodate temporary uses/special events and are included in this communication.

The Sign Plan is an element that is being amended to address the additional tracts of land added to the PD Planned Development and to provide signage for Tract 2 which previously did not address complete specifications due to undetermined users and types of development. The Sign Plan includes a new sign type as A3: Multi-Tenant Vertical Monument ID Sign and one (1) is proposed on Tract 3. The Sign Plan and specifications are included in this communication.

### **STAFF RECOMMENDATION**

Staff recommends approval subject to the PD Planned Development Regulations reflecting that a Fueling Station through the application of an SUP Specific Use Permit be limited to Tract 4.

### **ATTACHMENTS**

Concept Plan  
PD Planned Development Regulations  
Sign Plan  
Property Owner Notification Map

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

**TRACT 1**

The Village at Allen, Lots 1, 2, 3, 4, 5, 6A, 7A-1, 7B, 7C, 7D, 7E, 7F, 7G, and 7H, Block A of The Village at Allen, an addition to the City of Allen, Collin County, Texas according to the plat thereof recorded in Cabinet 2009, Pages 76-81, Plat Records Collin County, Texas and also filed under County Clerk's File No. 20090304010000470, Real Property Records, Collin County, Texas.

**TRACT 2**

The Village at Allen, Lots 1A, 1B, 1C, 1D, and 2A, Block B of The Village at Allen, an addition to the City of Allen, Collin County, Texas according to the plat thereof recorded in Cabinet 2009, Pages 76-81, Plat Records Collin County, Texas and also filed under County Clerk's File No. 20090304010000470, Real Property Records, Collin County, Texas.

**TRACT 3**

BEING a 0.727 acre tract of land, and part of a tract of land situated in the F. Wilmeth Survey, Abstract No. 999, and the L. Pegues Survey, Abstract No. 702, as conveyed to The Village at Allen, L.P., recorded under CCF No. 20070018000075960, of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch "BDD" capped iron rod set for corner in the East right-of-way line of U.S. Hwy 75 (a variable width right-of-way), said corner also being in the West right-of-way line of a tract of land conveyed to the Dallas Area Rapid Transit, recorded in Vol. 5443, Pg. 5532, of the Deed Records of Collin County, Texas, said iron being in non-tangent curve to the left, having a radius of 2,914.07 feet;

THENCE along said curving West line of Dallas Area Rapid Transit tract, through an angle of 10°39'02", having an arc length of 541.69 feet, and a chord bearing and distance of South 28°14'41" West, 540.91 feet to a 5/8-inch "BDD" capped iron rod set for corner in the North line of Village Drive (variable width right-of-way) and the beginning of a non-tangent curve to the right, having a radius of 405.00 feet;

THENCE departing said West line of D.A.R.T. tract and along the North line of said Village Drive and said non-tangent curve to the right, through an angle of 11°10'44", having an arc length of 79.02, and a chord bearing and distance of North 62°32'09" West, 78.89 feet to a 5/8-inch "BDD" capped iron rod set for corner in the most southerly corner of a corner clip at the intersection of said East line of U.S. HWY 75 and said North line of Village Drive;

THENCE departing said North line of Village Drive and continuing along said corner clip, North 07°43'28" West, a distance of 58.34 feet to a 5/8-inch "BDD" capped iron rod set for corner in the most northerly corner of said corner clip in said West line of U.S. HWY 75;

THENCE continuing along said East line of U.S. HWY 75, North 37°18'28" East, a distance of 213.71 feet to a 5/8-inch "BDD" capped iron rod set for corner;

THENCE North 43°53'51" East, a distance of 294.65 feet to the POINT OF BEGINNING and containing 31,658 square feet or 0.727 acres more or less.

to be described as Block C, Lot 1 on the plat of The Village at Allen, to be filed in the Plat Records of Collin County, Texas subsequent to the date hereof.

#### **TRACT 4**

BEING a 4.098 acre tract of land, and part of a tract of land situated in the F. Wilmeth Survey, Abstract No. 999, and the L. Pegues Survey, Abstract No. 702, as conveyed to The Village at Allen, L.P., recorded under CCF No. 20070018000075960, of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found in the East right-of-way line of U.S. Highway 75 (variable width right-of-way), said iron also being the northwest corner of the remainder of a tract of land conveyed to Brookside Partners, LTD., recorded in CCF# 97-0109660 of the Deed Records of Collin County, Texas;

THENCE along said right-of-way line of U.S. Highway 75 and along said North line of the Brookside Partners tract, South 53°56'59" East, a distance of 30.05 feet to a 5/8-inch "BDD" capped iron rod set for the POINT OF BEGINNING;

THENCE departing said North line of the Brookside Partners tract and along the aforesaid East right-of-way line of U.S. Highway 75, North 32°59'39" East, a distance of 239.61 feet to a 5/8-inch "BDD" capped iron rod set for corner;

THENCE North 28°55'21" East, a distance of 103.98 feet to a 5/8-inch "BDD" capped iron rod set for corner;

THENCE North 35°32'57" East, a distance of 302.16 feet to a 5/8-inch "BDD" capped iron rod set for the most southeasterly corner of a corner clip at the intersection of said East right-of-way line of U.S. Highway 75 and the South line of Village Drive (variable width right-of-way);

THENCE continuing along said corner clip, North 81°34'56" East, a distance of 59.50 feet to a 5/8-inch "BDD" capped iron rod set for corner in the South line of said Village Drive, same being the beginning of a non-tangent curve to the left, having radius of 495.00 feet;

THENCE continuing along said South line of Village Drive and said non-tangent curve to the left, through an angle of 11°44'28", an arc length of 101.44 feet, and having a chord bearing and distance of South 62°13'31" East, 101.26 feet to a 5/8-inch "BDD" capped iron rod set in the West line of the Dallas Area Rapid Transit tract, recorded in Volume 5443, Page 5352, of the Deed Records of Collin County, Texas, said iron also being the beginning of a non-tangent curve to the left, having a radius of 2914.79 feet;

THENCE departing said South line of Village Drive and along said West line of the D.A.R.T. tract and said non-tangent curve to the left, through an angle of 07°38'50", and an arc length of 389.03 feet, and having a chord bearing and distance of South 17°19'43" West, 388.74 feet to a 5/8-inch iron rod found for corner;

THENCE South 11°57'57" West, 364.39 feet to a 5/8-inch iron rod found in the aforementioned North line of said Brookside Partners tract;

THENCE departing said West line of the D.A.R.T. tract and along said North line of said Brookside Partners, North 53°56'59" West, a distance of 387.62 feet to the POINT OF BEGINNING and containing 178,520 square feet or 4.098 acres of land, more or less.

to be described as Block D, Lot 1 and Lot 2 on the plat of The Village at Allen, to be filed in the Plat Records of Collin County, Texas subsequent to the date hereof.

## **EXHIBIT “B” DEVELOPMENT REGULATIONS**

This planned district is designed to permit flexibility and encourage a more creative, efficient and aesthetically desirable design and placement of buildings, open spaces and circulation patterns, by allowing a mixture or combination of uses, and to best utilize special site features, such as topography, size and shape.

The Village at Allen District is intended to promote the compatible mixed-use development of retail, commercial, entertainment, hotel, and office. Parking facilities will be shared to the maximum extent practicable, and pedestrian connections will be emphasized.

### **1. Base Zoning District**

The property listed as Tracts 1, 2, 3, and 4 on Exhibit "A," attached hereto, shall be developed and used in accordance with "SC" Shopping Center District regulations, except as otherwise provided herein.

### **2. Area Regulations**

- |                                                                                                                                                                                    |                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| • Minimum lot area:                                                                                                                                                                | None                 |
| • Minimum width of lot:                                                                                                                                                            | None                 |
| • Minimum depth of lot:                                                                                                                                                            | None                 |
| • Maximum height of building:                                                                                                                                                      | 12 stories/160 feet. |
| • Minimum front yard:                                                                                                                                                              | None                 |
| • Minimum rear yard:                                                                                                                                                               | 0 feet               |
| • Minimum side yard:                                                                                                                                                               | 0 feet               |
| • Maximum lot coverage:                                                                                                                                                            | 95%                  |
| • Maximum Floor Area Ratio (FAR)*                                                                                                                                                  | 0.25                 |
| • Maximum height of buildings within 300 feet adjacent to residential uses shall be subject to the maximum height restrictions of Corridor Commercial Zoning District Regulations. |                      |
| • Setback from US75 to building exterior                                                                                                                                           | 30 feet              |
| • Setback from Stacy Road to building exterior                                                                                                                                     | 25 feet              |
| • Setback from Allen Station Parkway to building exterior:                                                                                                                         | 25 feet              |
| • Landscape Easement along US75                                                                                                                                                    | 15 feet              |

\*The FAR calculation is for the entire development. It is understood that individual sites within the development may exceed 0.25 and be offset by others being less.

No buildings for uses noted by \*\* are allowed within 300 feet adjacent to residential uses unless allowed by an approved SUP. Within this buffered area, a minimum 25-ft. landscape buffer is required adjacent to the property line.

### **3. Schedule of Permitted Uses**

- Amusement, Commercial (indoor)
- Antique Shop
- Auto Parts Sales
- Bakeries (Wholesale)
- Bakery or confectionery
- Banks and Financial Institutions
- Beer and Wine Package Sales
- Bicycle Shop / Repair Service
- Book, Card, or Novelty Shops
- Building Materials Sales (indoor)

- Catering
- Clinic, Medical
- Coffee Shop with drive-through
- Conference Center
- Convenience Store
- Day Care Facility
- Department or Discount Stores
- Drug Store or Pharmacy
- Event Center
- Equipment Rental
- Fabrics or Needlework Shop
- Fitness and Health Center
- Florist
- Food Service
- Fraternal Org., Lodge, Civic Clubs
- Furniture / Appliance Sales
- Garage, Public Parking
- Grocery
- Gymnastic / Athletics
- Hardware Store
- Hotel \*\*
- Key Shop, Locksmith
- Laboratories; Dental
- Laundry / Cleaning, Pick-up only
- Museum, Library, Art Gallery (Public)
- Nursery, Retail Plant
- Office Use
- Office Showroom / Warehouse \*\*
- Park or Playground (Public)
- Public Service Facility
- Restaurant (Drive-in or through) \*\*
- Restaurant (No Drive-in or through)
- Retail Store
- School, Business and Trade
- School, Public
- Smoking Establishment
- Theater
- Upholstery Shop
- Veterinary Hospital or Clinic
- Loading docks, garages or any related loading or service areas \*\*

The following uses are permitted upon approval of a Specific Use Permit:

- Adult Day care
- Amusement, Commercial (Outdoor) \*\* (including Putting Green/Chipping Area/Miniature Golf (Golf-Related) as an accessory use.)
- Beer & Wine Package Sales with greater than 50% of revenue from Beer & Wine
- Building Materials Sales (outdoor) \*\*
- Firearms Sale & Service
- Fueling Station
- Laboratories: BIO Safety Level 2 \*\*



- Laboratories: BIO Safety Level 3 \*\*
- Laundry / Cleaning Plant, Retail w/Pick up
- Lawn Equipment Sales & Repair \*\*
- Mass Transit Commuter Pick-up
- Motorcycle Sales & Service \*\*
- Open Storage
- Pest Control Service
- Private Club
- Radio or TV Broadcast Studio
- Restaurant / Private Club
- Teen Club

The following uses are permitted as a temporary use:

- Concrete Batch Plant (Must be located a minimum of 500 feet from any existing residential structure)
- Construction Office
- Real Estate Sales Office (temp)

**4. Building Materials**

- Exterior construction materials and finishes should be durable, weather and moisture resistant, and require low maintenance. Brick, stone, concrete, metal, glass and synthetic materials are acceptable exterior materials. Use of wood and non-rustproof metals is permitted, but not as primary materials.

**5. Outdoor Lighting**

- Glare: Exterior lights shall be constructed in a manner consistent with the Property Maintenance Code requirements and shall be located so as to not produce direct illumination across the boundary property line in excess of 0.25 foot-candles in the retail area. In the hotel, and office area, full cut off fixtures will be provided at the residential property line resulting in no bleed into the residential areas.
- Maximum Luminaries Mounting Height – 35 feet
- Pole standards shall be square, straight, or round tapered; steel or aluminum with an anchor base.
- Luminary types shall meet the requirements of Section 7.03.4
- All wiring and associated raceways for parking area lighting shall be installed underground except as permitted by the City.
- If a rear yard security light is mounted higher than 10 feet, it shall be placed at the property line and directed away from adjacent properties, and meet the requirements of the Allen Land Development Code.
- Maximum overall foot candle of 4.0 average maintained throughout.

**6. Parking Requirements**

- All off-street parking shall be shared per the study performed by Walker Parking Consultants, except for Tracts 3 & 4 which shall meet parking requirements as per the Allen Land Development Code requirement. Parking located on Tracts 3 & 4 is not a part of the overall parking for The Village at Allen.
- An "Amusement, Commercial (Outdoor)" use allowed by SUP on Tract 2 shall meet parking requirements per ALDC.
- As it pertains to Tract 4, Delivery vehicles shall not be parked in the first row of parking along US Hwy 75 and Cabela Drive.
- Off-street parking may be provided by either structured garage or on surface parking areas with The Village at Allen District.

- The number and location of off-street loading spaces and truck loading berths shall be per Concept Plan.
- All parking, loading and maneuvering of the trucks shall be conducted off-street on private property.
- Required passenger vehicle parking shall be allowed within the truck loading berth area. No passenger vehicle parking spaces will be allowed in the truck maneuvering area.
- Screening of truck loading berth and apron space will be by a combination of permanent architectural and landscape elements, such as walls, berms, trees, and shrubs.
- Loading Docks are not required.

**7. Landscaping**

- Required trees may be planted in groupings to provide a more dramatic impact of the landscaping upon approval of the Parks Department.

**8. Fences and Walls**

- Screening of lots abutting the residential area shall be permitted to commence after P&Z approval of the revised PD and preliminary plat. A combination of landscape screening and architectural features may be used if approved by the Planning and Zoning Commission upon a recommendation by City Staff.

**9. Sign Regulation**

- Please refer to the "Sign Type" chart and corresponding "Sign Location Plan" attached hereto and made a part of this Planned Development Ordinance for site specific signage.
- The L.E.D. ("Pylon") sign shall be for the exclusive use of the Developer and the City of Allen and their respective permittees.

Signs for individual (tenant) uses within The Village at Allen District will be subject to the City of Allen sign ordinance, unless otherwise detailed herein, and in no event shall individual letters exceed a maximum height of 72 inches.

Hotel and Event Center Signage: While it will be permissible for the Hotel and Event Center to advertise on The Village at Allen District internal signage and excluding the L.E.D. ("Pylon") referenced in the "Sign Type" chart attached hereto, it is understood that signage for the Hotel and Event Center shall be architecturally harmonious with The Village at Allen signage, and shall meet all City of Allen sign ordinance regulations, unless otherwise detailed herein. Hotel and Event Center (tenant specific) signage, shall be considered to be separate from The Village at Allen PD sign details and specifications, but shall be required to follow all City of Allen sign ordinance regulations.

**10. Detention / Retention Pond**

- All detention / retention ponds will be constructed as amenities for the property. This will include aerator fountain and landscaping to enhance the area.

**11. Commencement of Construction**

- With the approval of the Preliminary Plat and Concept Plan by the Planning and Zoning Commission and Construction Plan approval by the City of Allen engineering department, the developer may commence construction of the underground utilities/infrastructure, paving of the public streets, and the installation of the 8 foot masonry fence parallel to the homeowners' property line. No other work shall be approved or commenced until the Final Plat has been approved.

**12. Public Roadways (Allen Station Parkway)**

- In the event that changes in the Concept Plan, attached hereto, including but not limited to the final placement of the Hotel and Global Entertainment complex, cause an adjustment to the

alignment of Allen Station Parkway, said adjustment east or west within 20 feet, as shown, shall be permitted without revising the Planned Development. Said changes will be required to meet all existing building codes for construction and shall be submitted with applicable drawings to the City of Allen for approval and permitting.

**13. Concept Plan (South Parking Garage and adjacent office buildings to south of the south garage)**

- Prior to the issuance of a building permit for the south parking garage and/or the adjacent office building to the south of the south parking garage, as shown on the Concept Plan, the City Council shall, after a public hearing, approve a new Concept Plan for such structures as well as for the earthen berms and landscaping which serves as screening of the adjacent residential property to the east of the property from the development as shown on the Concept Plan.

**14. Temporary Uses/Special Events**

- Temporary Uses and Special Event Uses shall not be limited by number in a calendar year or duration but all shall require a permit application per the Allen Land Development Code.
- Temporary Uses and Special Event Uses locations may not obstruct fire lanes/emergency access.
- Other temporary or special event uses may be approved by the Director of Planning and Development. The opinion of the Director of Planning and Development may be appealed to the City Council.

The following uses are permitted as temporary or special event uses:

Uses noted by \* shall require a Site Plan at application.

- Car Shows/Cruises
- Radio Remotes/Broadcasts
- Concert Series (outdoor or indoor)
- Movie night (outdoor or indoor)
- Parades
- Wine walks
- Pumpkin Festivals/Picking
- Holiday Village\*
- Santa Claus House
- Charitable Walks/Runs
- General Charity Fundraising
- Christmas Tree Sales\*
- Art Festivals
- Creative Festivals (dance/music/art performances)\*
- Cooking Contests/Demonstrations
- Holiday-themed events (not limited to, Mother's Day, Father's Day, Halloween, Easter, etc.)

**EXHIBIT “C”  
CONCEPT PLAN**





Changes to Existing Sign Location Plan noted below.

# SIGN LOCATION PLAN

Proposed "A3" Sign

Proposed "E2" Sign

Changes to Existing Sign Location Plan are noted below

New "E1" Sign Located

Proposed "E2" Sign

New "E1" Sign Located

## SITE SIGNAGE

- A1. MULTI-TENANT ID SIGN
- A2. ID SIGN WITH ELECTRONIC READER BOARD
- A3. MULTI-TENANT VERTICAL ID MONUMENT
- C. FREESTANDING TENANT ID SIGN
- D. PROJECT ARCHITECTURAL FEATURE

## WAY FINDING SIGNAGE

- E1. MULTI-TENANT MONUMENT/DIRECTIONAL SMALL
- E2. TENANT ID MONUMENT
- F. FREESTANDING VEHICULAR DIRECTIONAL

## PEDESTRIAN WAY FINDING

- G. FREESTANDING PEDESTRIAN DIRECTIONAL
- H. DIRECTORY
- I. SERVICE DIRECTIONAL
- L. TENANT BLADE/CANOPY SIGN

## OTHER SIGNAGE

- N. EXIT DIRECTIONAL SIGN POST
- P. WALL SIGN
- Q. AD BOLLARD
- R. REGULATORY SIGN

EASEMENT AREA

\* INDICATES USE OF DEDICATED POLE FOR SIGN (7 TOTAL)

DENOTES ELECTRICAL HOOKUP RECOMMENDED

SIGN TYPE

SIGN NUMBER

PROJECT	THE VILLAGE AT ALLEN	DWG TITLE	OVERALL SITE PLAN		SCALE	DATE	REVISIONS		DATE	SHEET
			Sign Location Plan	Sign Location Plan			1	2		
					N.T.S.	02-24-09	4	5	06-09-10	7
								6	04-21-10	3
									05-06-10	L01

Drawings are design intent only. Fabricator to verify mounting conditions and substrates. Fabricator responsible for engineering and structural integrity of all signs.



# SIGN LOCATION PLAN

**Legend:**

- ◆ Q: DENOTES ELECTRICAL HOOKUP RECOMMENDED
- ◆ H: SIGN TYPE
- ◆ P: SIGN NUMBER

Approved  
April 14

PROJECT	THE VILLAGE AT ALLEN	DWG TITLE	OVERALL SITE PLAN	SCALE	DATE	REVISION
huic			For Sign types H, M & N		03/24/00	



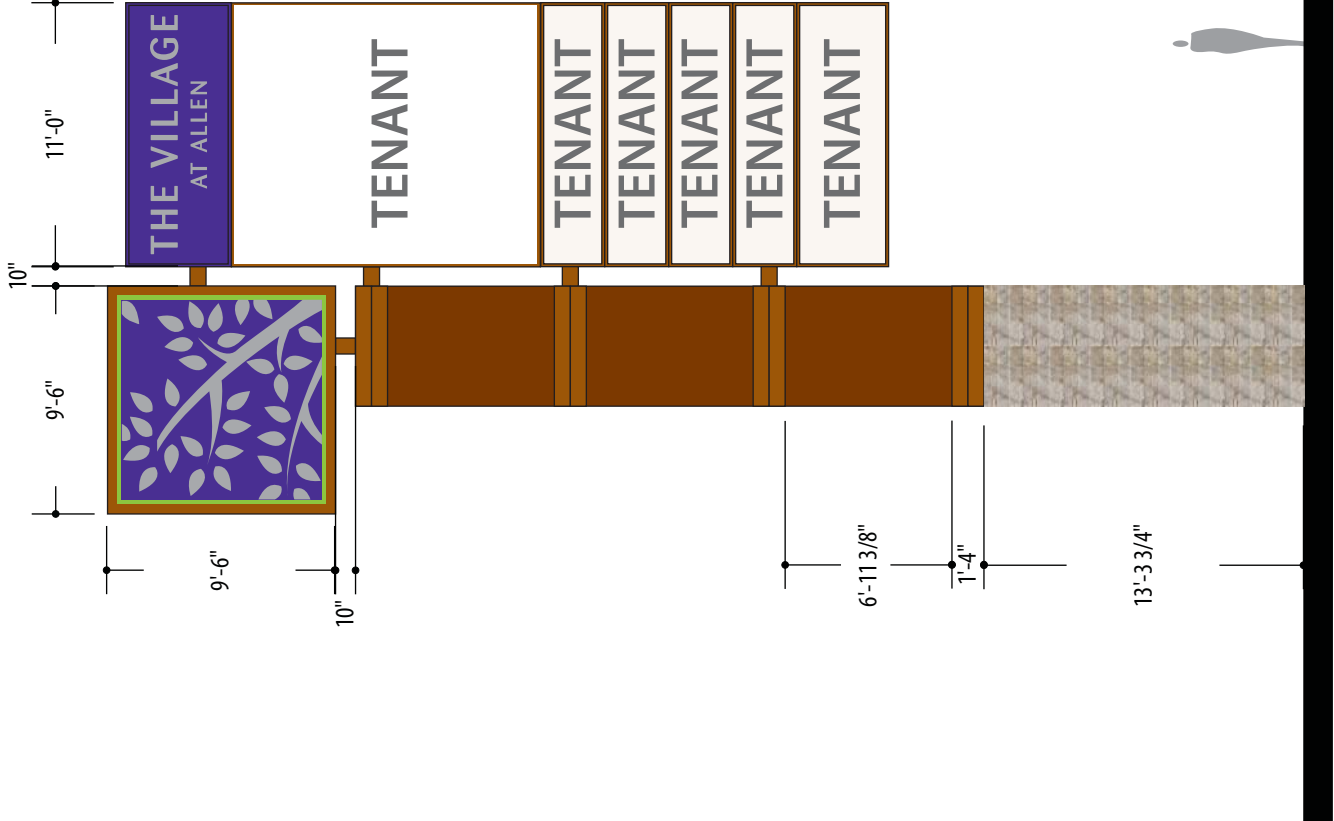
SCALE	DATE	REVISIONS		1	04-21-10	2	3	<b>L02</b>
N.T.S.	02-24-09	4	5	6	7			

Copyright 2005. All rights reserved. This document may not be reproduced in any form without prior written agreement with Hilti Design  
Drawings are design intent only. Fabricator to verify mounting conditions and substrates. Fabricator responsible for engineering and structural integrity of all signs.  
Fabricator to verify mounting conditions and substrates.

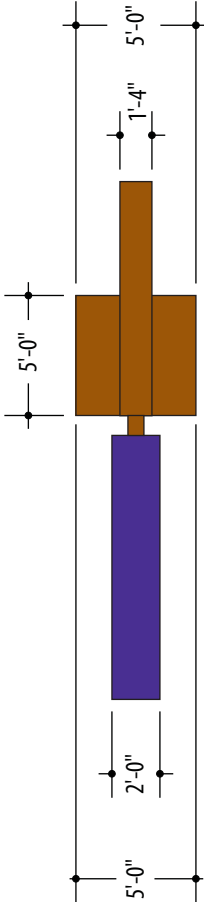


CODE INFORMATION

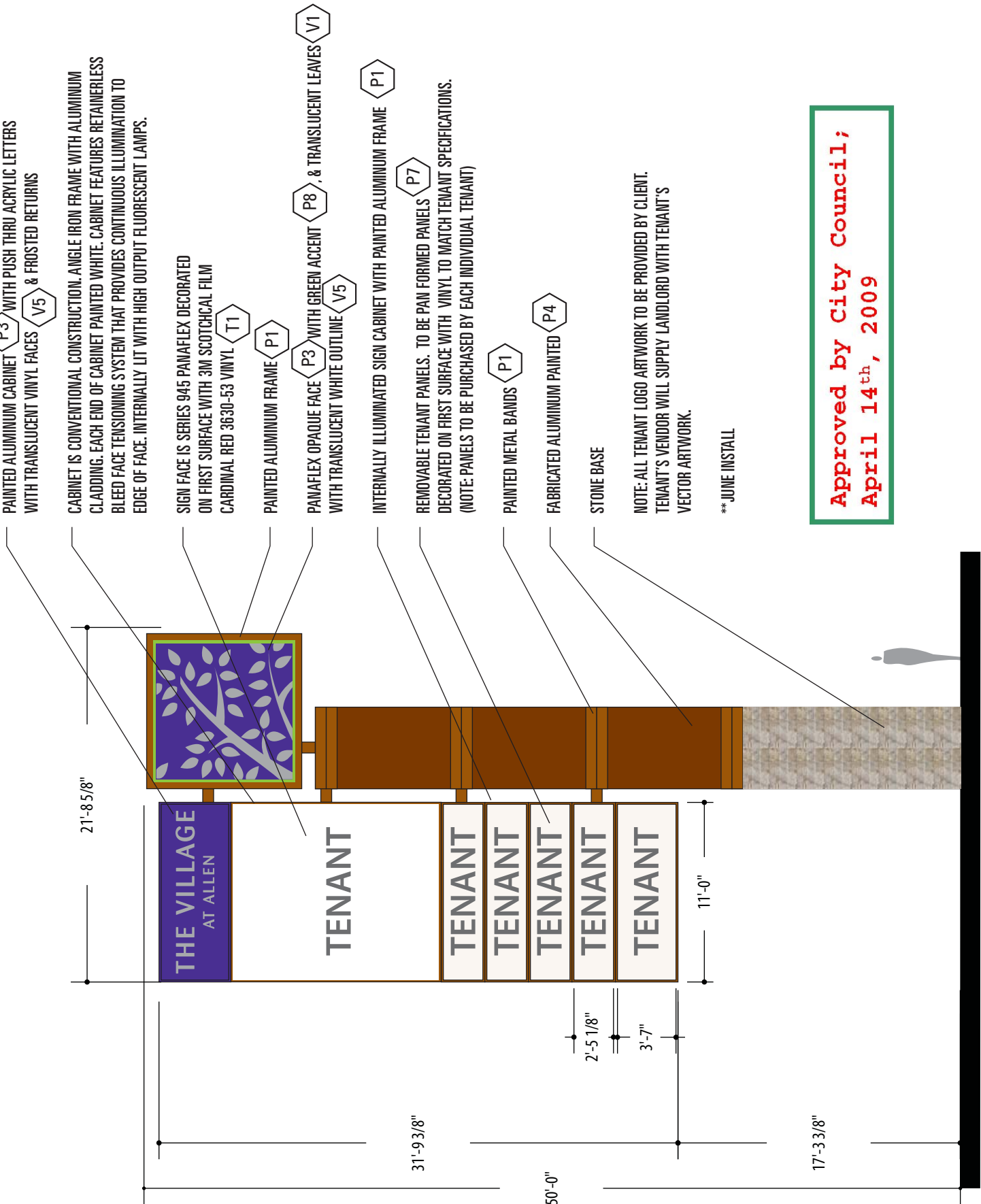
- MAXIMUM HEIGHT  
ALLOWED: 50 FT  
ACTUAL: 50 FT
- MAXIMUM COPY AREA (SQUARE FEET PER SIDE)  
ALLOWED: 400 SF  
ACTUAL: 350 SF
- \*NOTE: LOGO DOES NOT COUNT AS PART OF THE MAX  
COPY AREA ON ANY SIGN TYPE
- MAXIMUM STRUCTURE AREA (INCLUDES COPY AREA)  
ALLOWED: 1500 SF  
ACTUAL: 1066 SF



A1-1: BACK ELEVATION  
SCALE: 1/8" = 1'- 0"



A1-1: PLAN VIEW  
SCALE: 1/8" = 1'- 0"



A1-1: FRONT ELEVATION  
SCALE: 1/8" = 1'- 0"

PAINTED ALUMINUM CABINET WITH TRANSLUCENT VINYL FACES <V5> & FROSTED RETURNS

CABINET IS CONVENTIONAL CONSTRUCTION. ANGLE IRON FRAME WITH ALUMINUM CLADDING. EACH END OF CABINET PAINTED WHITE. CABINET FEATURES RETAINERLESS BLEED FACE TENSIONING SYSTEM THAT PROVIDES CONTINUOUS ILLUMINATION TO EDGE OF FACE. INTERNALLY LIT WITH HIGH OUTPUT FLUORESCENT LAMPS.

SIGN FACE IS SERIES 945 PANAFLEX DECORATED ON FIRST SURFACE WITH 3M SCOTCHCAL FILM CARDINAL RED 3630-53 VINYL <T1>

PAINTED ALUMINUM FRAME <P1>

PANAFLEX OPAQUE FACE <P3> WITH GREEN ACCENT WITH TRANSLUCENT WHITE OUTLINE <V5>

INTERNALLY ILLUMINATED SIGN CABINET WITH PAINTED ALUMINUM FRAME <P1>

REMOVABLE TENANT PANELS. TO BE PAN FORMED PANELS DECORATED ON FIRST SURFACE WITH VINYL TO MATCH TENANT SPECIFICATIONS. (NOTE: PANELS TO BE PURCHASED BY EACH INDIVIDUAL TENANT)

PAINTED METAL BANDS <P1>

FABRICATED ALUMINUM PAINTED <P4>

STONE BASE

NOTE: ALL TENANT LOGO ARTWORK TO BE PROVIDED BY CLIENT. TENANT'S VENDOR WILL SUPPLY LANDLORD WITH TENANT'S VECTOR ARTWORK.

\*\* JUNE INSTALL

Approved by City Council;  
April 14<sup>th</sup>, 2009

		PROJECT		THE VILLAGE AT ALLEN <i>Exterior Sign System</i>		DWG TITLE		MULTI-TENANT ID SIGN/PYLON <i>Sign Type A1</i>				SCALE 1/8" = 1'-0"		DATE 02-24-09		REVISIONS		1	2	3			1.0	
																		4	5	6	7			

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Drawings are design intent only. Fabricator to verify mounting conditions and substrates. Fabricator responsible for engineering and structural integrity of all signs



MAXIMUM HEIGHT  
ALLOWED: 50 FT  
ACTUAL: 50 FT

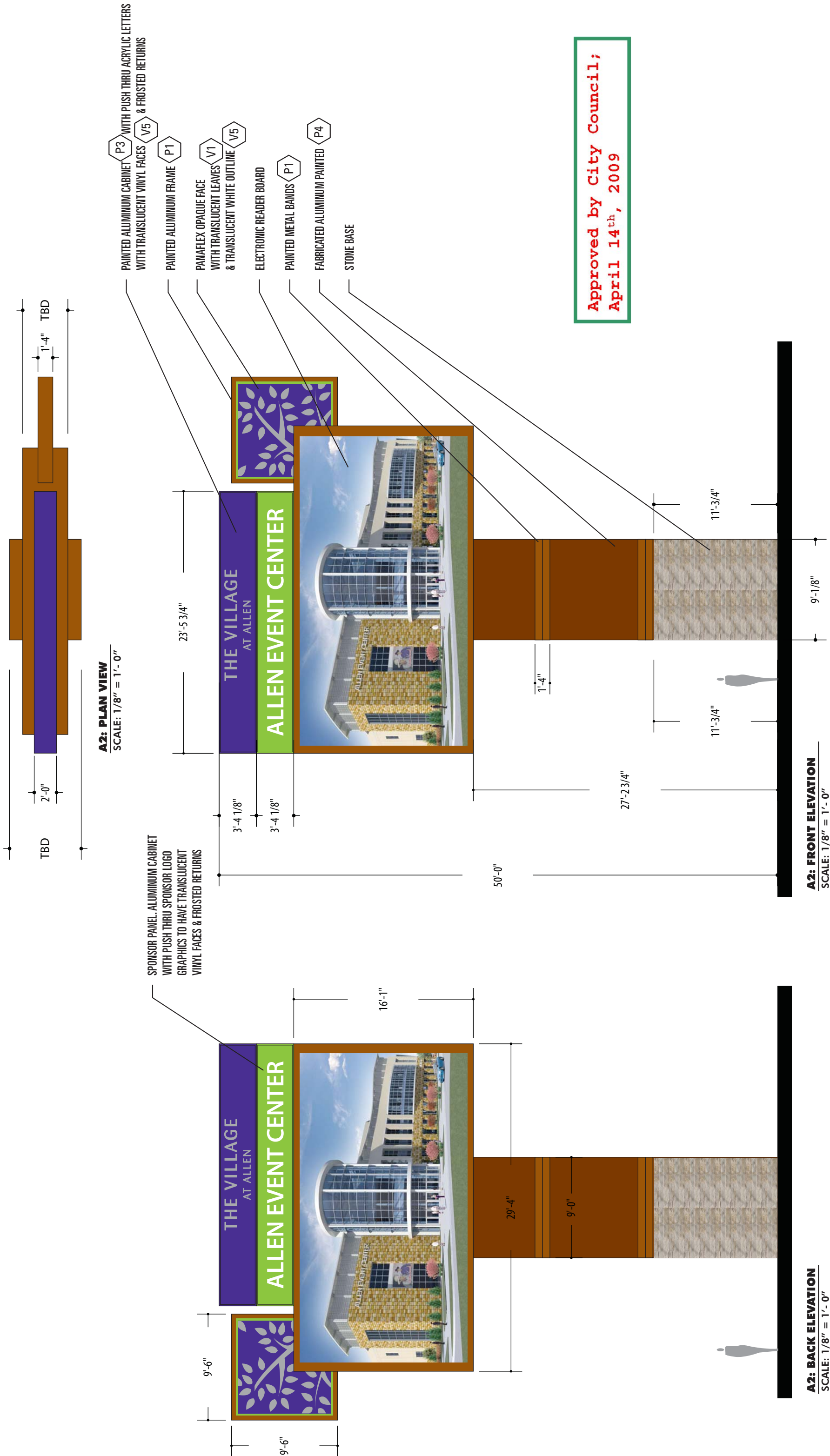
MAXIMUM COPY AREA (SQUARE FEET PER SIDE)  
ALLOWED: 400 SF  
ACTUAL: 254 SF

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

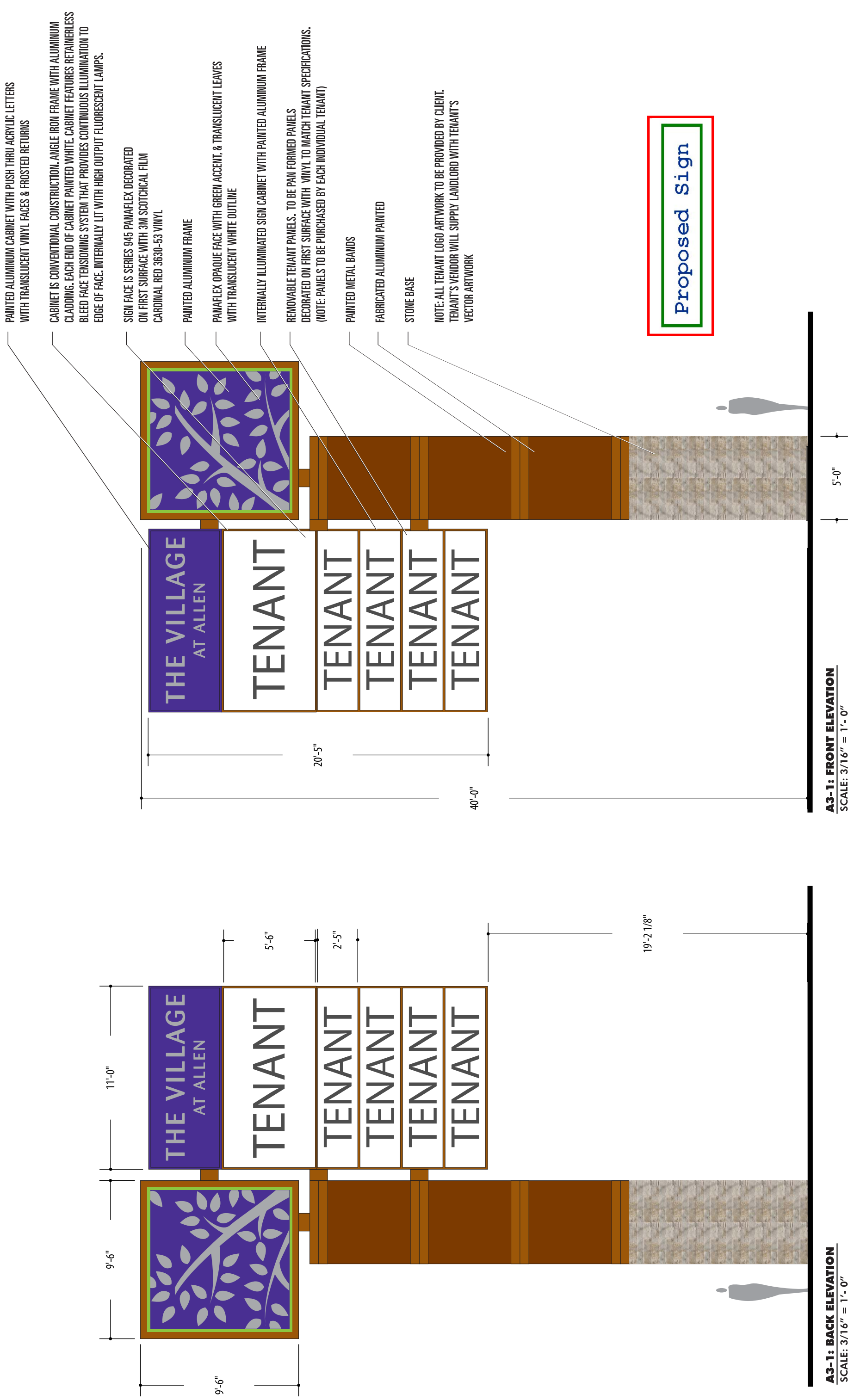
MAXIMUM STRUCTURE AREA (INCLUDES COPY AREA)  
ALLOWED: 1500 SF  
ACTUAL: 1066 SF



*Drawings are design intent only. Fabricator to verify mounting conditions and substrates. Fabricator responsible for engineering and structural integrity of all signs*

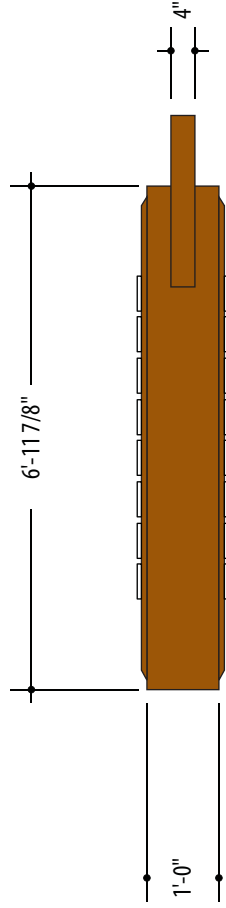


PROJECT	THE VILLAGE AT ALLEN <i>Exterior Sign System</i>	DWG TITLE	ID WITH ELEC. READER BOARD <i>Sign Type A2</i>				SCALE <i>1/8" = 1'-0"</i>	DATE <i>02-24-09</i>	REVISIONS		2	3
					4	5			6	7		

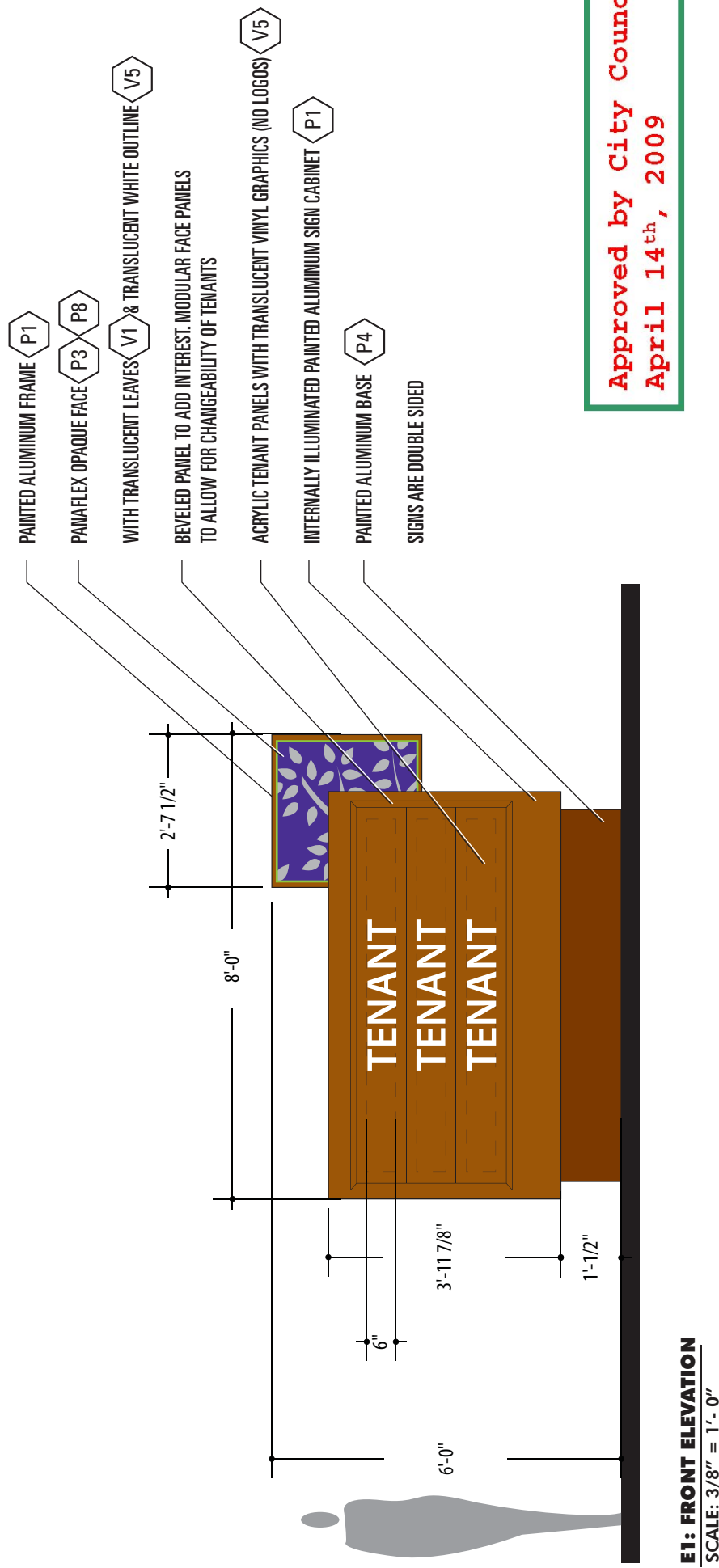








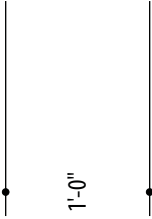
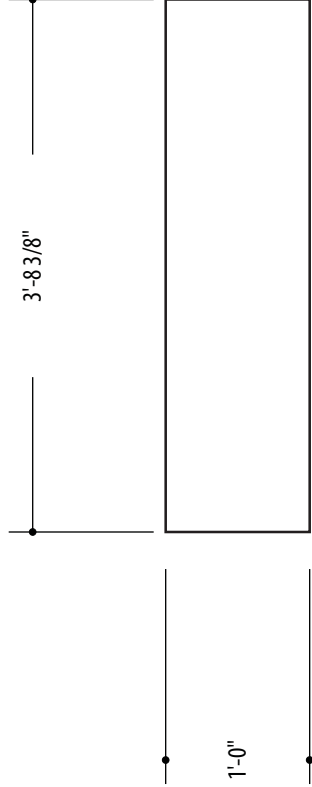
**E1: PLAN VIEW**  
**SCALE: 3/8" = 1'-0"**



**Approved by City Council;  
April 14<sup>th</sup>, 2009**

		<b>PROJECT</b>		<b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>		<b>DWG TITLE</b>		<b>MULTI-TENANT MONUMENT SM.</b> <i>Sign Type E1</i>				<b>SCALE</b>		<b>DATE</b>		<b>REVISIONS</b>							
												3/8" = 1'-0"		02-24-09		4		5		6			
																		3		7			
																				Drawings are design intent only. Fabricator to verify mounting conditions and substrates. Fabricator responsible for engineering and structural integrity of all signs			
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																				<b>6.0</b>			





## E2: PLAN VIEW

**SCALE: 3/4" = 1' - 0"**



4'-3 3/8"

6 3/8"

57/8"

9"

SIGN FACE IS ROUTED ALUMINUM BACKED WITH CLEAR LEXAN.  
3M SCOTCHCAL FILM AND DIFFUSER FILM IS APPLIED TO 2ND  
SURFACE OF PLEX. NOTE: BULLSEYE CENTER DOT & OUTER RING  
ARE ALWAYS 2 SEPARATE PIECES.

LOGO & TEXT ARE CARDINAL RED 3630-53 VINYL <T1>

CABINET IS CONVENTIONAL CONSTRUCTION. ANGLE IRON FRAME WITH ALUMINUM CLADDING. CABINET FEATURES RETAINERLESS BLEED FACE TENSIONING SYSTEM THAT PROVIDES CONTINUOUS ILLUMINATION TO EDGE OF FACE. INTERNALLY LIT WITH HIGH OUTPUT FLUORESCENT LAMP.

PAINTED ALUMINUM BASE &lt; P4

P7

**Approved by City Council;  
April 14<sup>th</sup>, 2009**

## E2: FRONT ELEVATION

**SCALE: 3/4" = 1' - 0"**

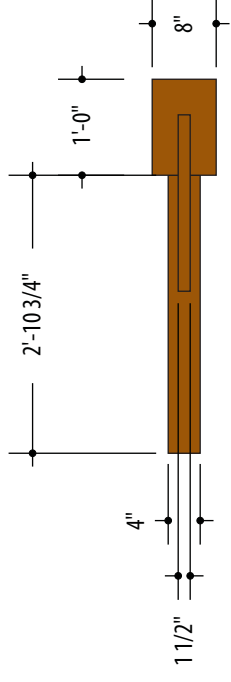
	PROJECT	<b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	DWG TITLE	<b>MJR ANCHOR TENANT ID</b> <i>Sign Type E2</i>	SCALE	DATE	REVISIONS	1	2	3	
					3/4" = 1'-0"	02-24-09	4	5	6	7	

7.0

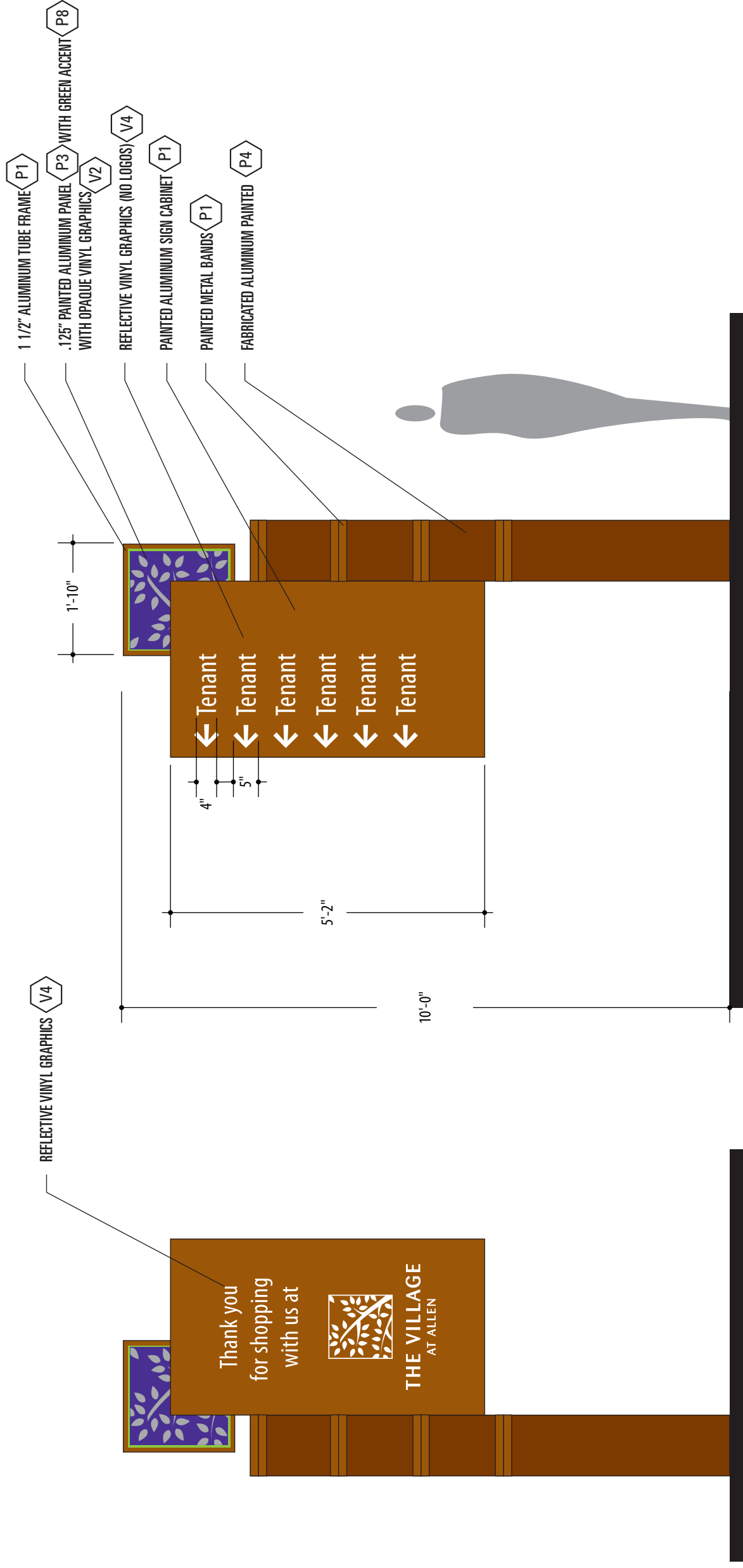
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April 14<sup>th</sup>, 2009**




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



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

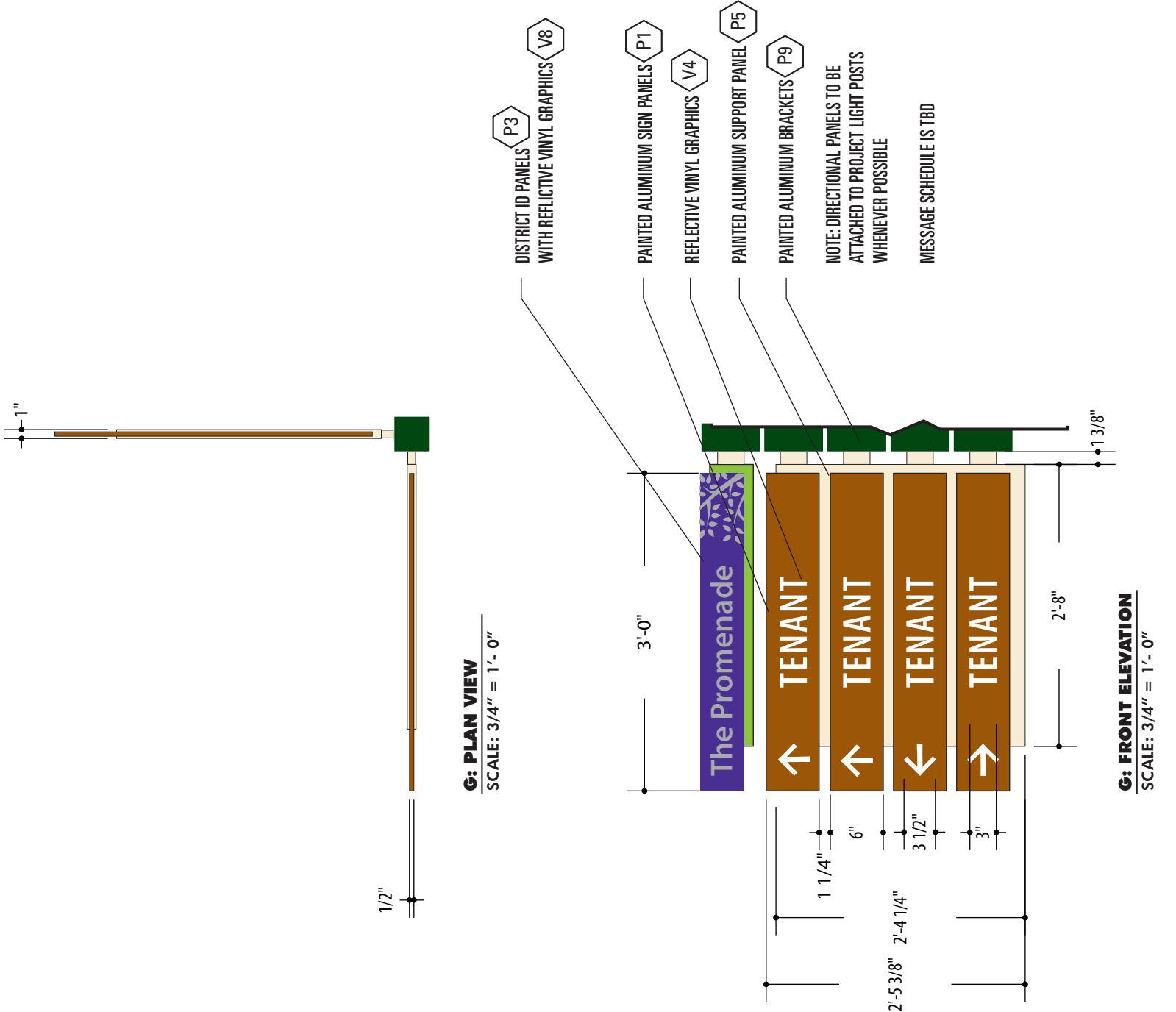
**F: FRONT ELEVATION**  
**SCALE: 1 1/2" = 1' - 0"**

<div><div></div><div>PROJECT</div></div>		<div><div><b>THE VILLAGE AT ALLEN</b></div><div>Exterior Sign System</div></div>		<div>DWG TITLE</div>		<div><b>VEHICULAR DIRECTIONAL</b> <i>Sign Type F</i></div>											
						SCALE		DATE		REVISIONS		1		2		3	
						1/2" = 1'-0"		02-24-09		4		5		6		7	
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<div><b>8.0</b></div>																	

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April 14<sup>th</sup>, 2009


<div>huie</div> <div>.....de-sign</div>	PROJECT	THE VILLAGE AT ALLEN <i>Exterior Sign System</i>	DWG TITLE	PEDESTRIAN DIRECTIONAL <i>Sign Type G</i>		SCALE		DATE		REVISIONS		1	2	3	9.0
					AS NOTED		02-24-09		4		5	6	7		

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[illegible]

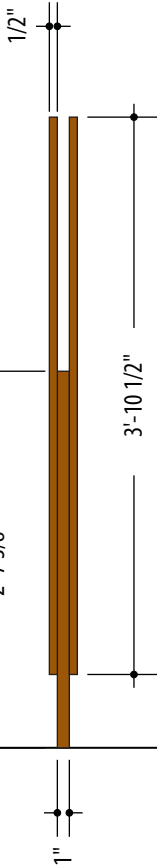
**Approved by City Council;  
April 14<sup>th</sup>, 2009**

		PROJECT	THE VILLAGE AT ALLEN <i>Exterior Sign System</i>	DWG TITLE	DIRECTORY <i>Sign Type H</i>	SCALE		DATE	REVISIONS		1	2	3	10.0			
AS NOTED										02-24-09	4	5	6		7		
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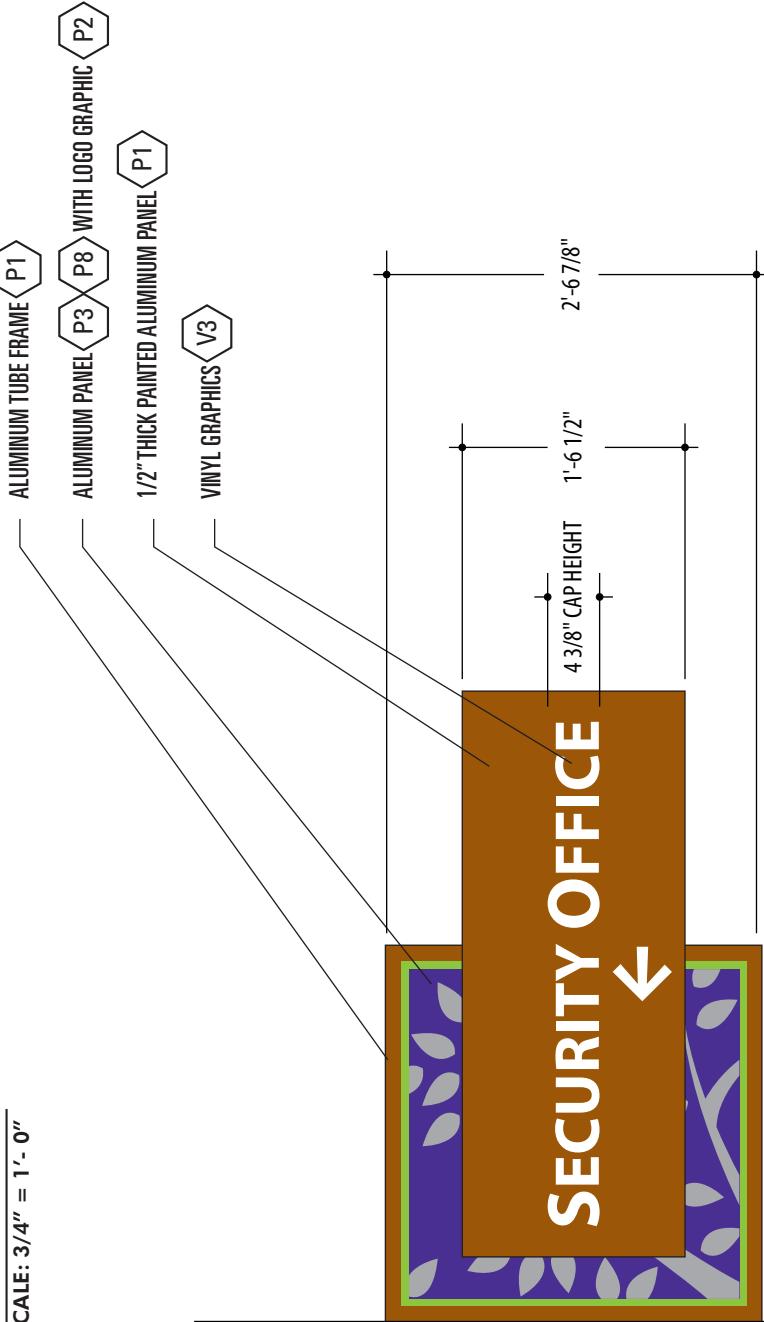


**Approved by City Council;  
April 14<sup>th</sup>, 2009**

## IT: SIDE B



## I: PLAN VIEW



## I7: FRONT ELEVATION - SIDE A



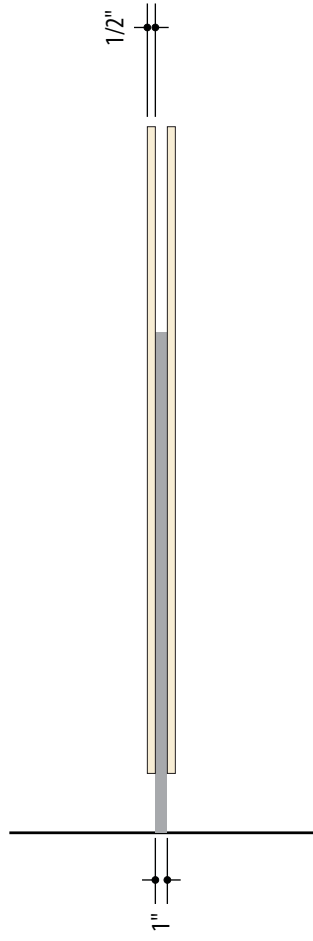
## I: FRONT ELEVATION

	<b>PROJECT</b>	<b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	<b>DWG TITLE</b>	<b>SERVICE DIRECTIONAL</b> <i>Sign Type I</i>	SCALE	DATE	REVISIONS	1	2	3						
											AS NOTED	02-24-09	4	5	6	7

11.0

Drawings are design intent only. Fabricator to verify mounting conditions and substrates. Fabricator responsible for engineering and structural integrity of all signs.

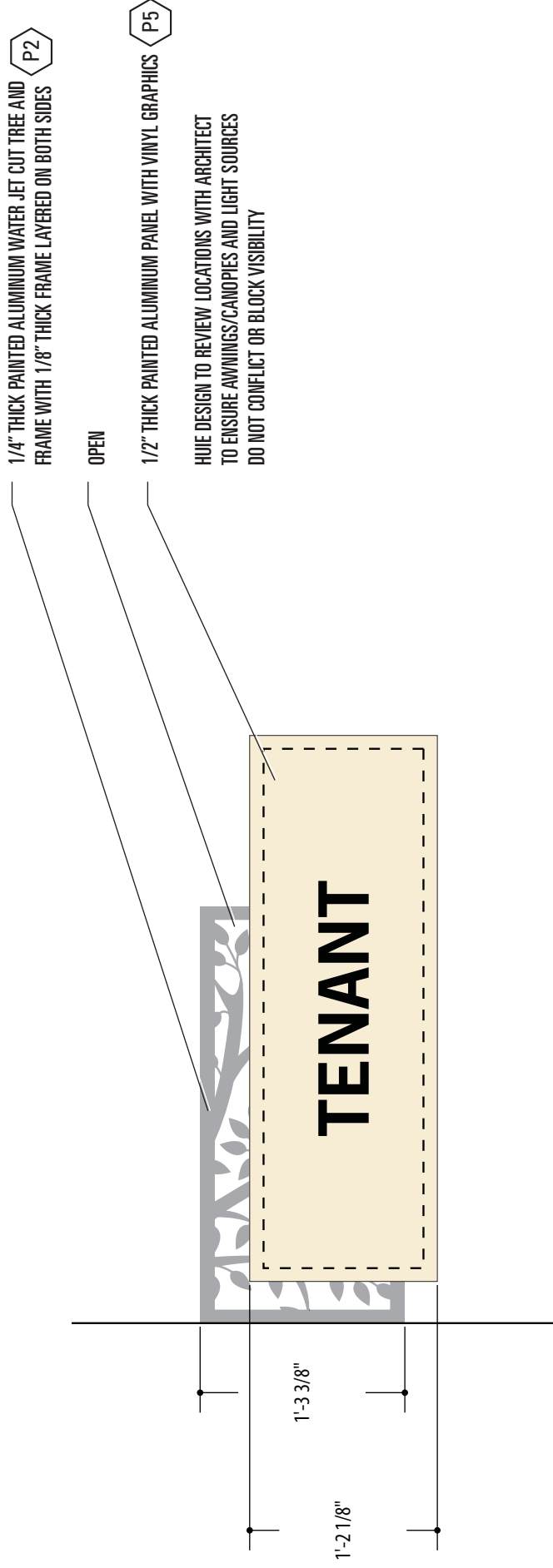
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1/2"

**L: PLAN VIEW**

**SCALE: 3/4" = 1'- 0"**



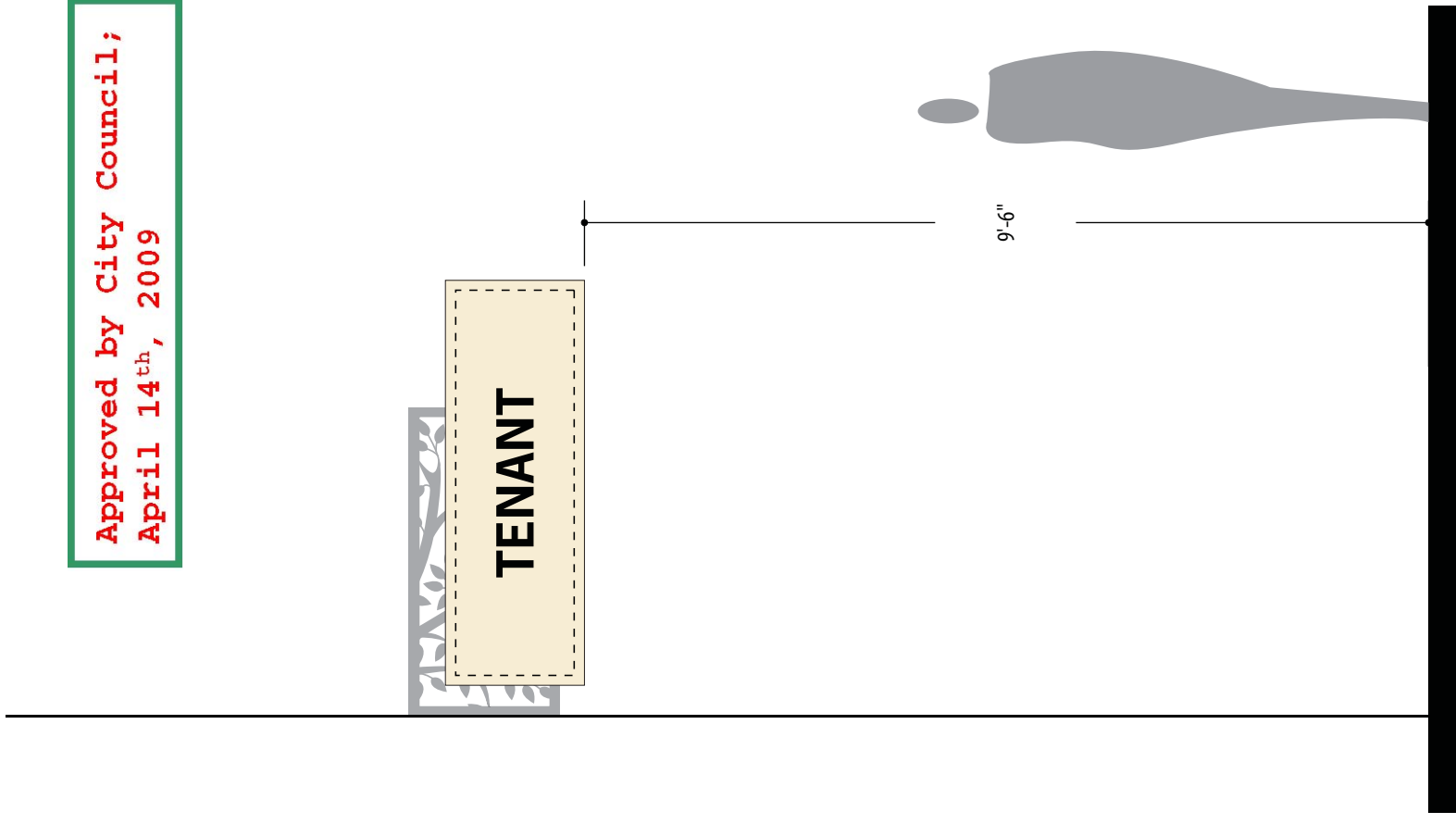
1'-3 3/8"

1/4" THICK PAINTED ALUMINUM WATER JET CUT TREE AND  
FRAME WITH 1/8" THICK FRAME LAYERED ON BOTH SIDES

OPEN

## 1 1/2" THICK PAINTED ALUMINUM PANEL WITH VINYL GRAPHICS

HUIE DESIGN TO REVIEW LOCATIONS WITH ARCHITECT  
TO ENSURE AWNINGS/CANOPIES AND LIGHT SOURCES  
DO NOT CONFLECT OR BLOCK VISIBILITY



**L: FRONT ELEVATION**

**SCALE: 1/2" = 1'-0"**

<div></div>	PROJECT	<div><b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i></div>	DWG TITLE	<b>TENANT BLADE/CANOPY SIGN</b>				
			<i>Sign Type L</i>					
	SCALE		DATE		REVISIONS		1	
			AS NOTED		02-24-09		4	5
					2	3		
				6	7			
<b>12.0</b>								

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	<b>PROJECT</b> <b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	<b>DWG TITLE</b> <b>TENANT BLADE/CANOPY SIGN</b> <i>Sign Type L</i>	<b>SCALE</b> AS NOTED		<b>DATE</b> 02-24-09	<b>REVISIONS</b> 4	1	2	3
			AS NOTED		02-24-09	4	5	6	7

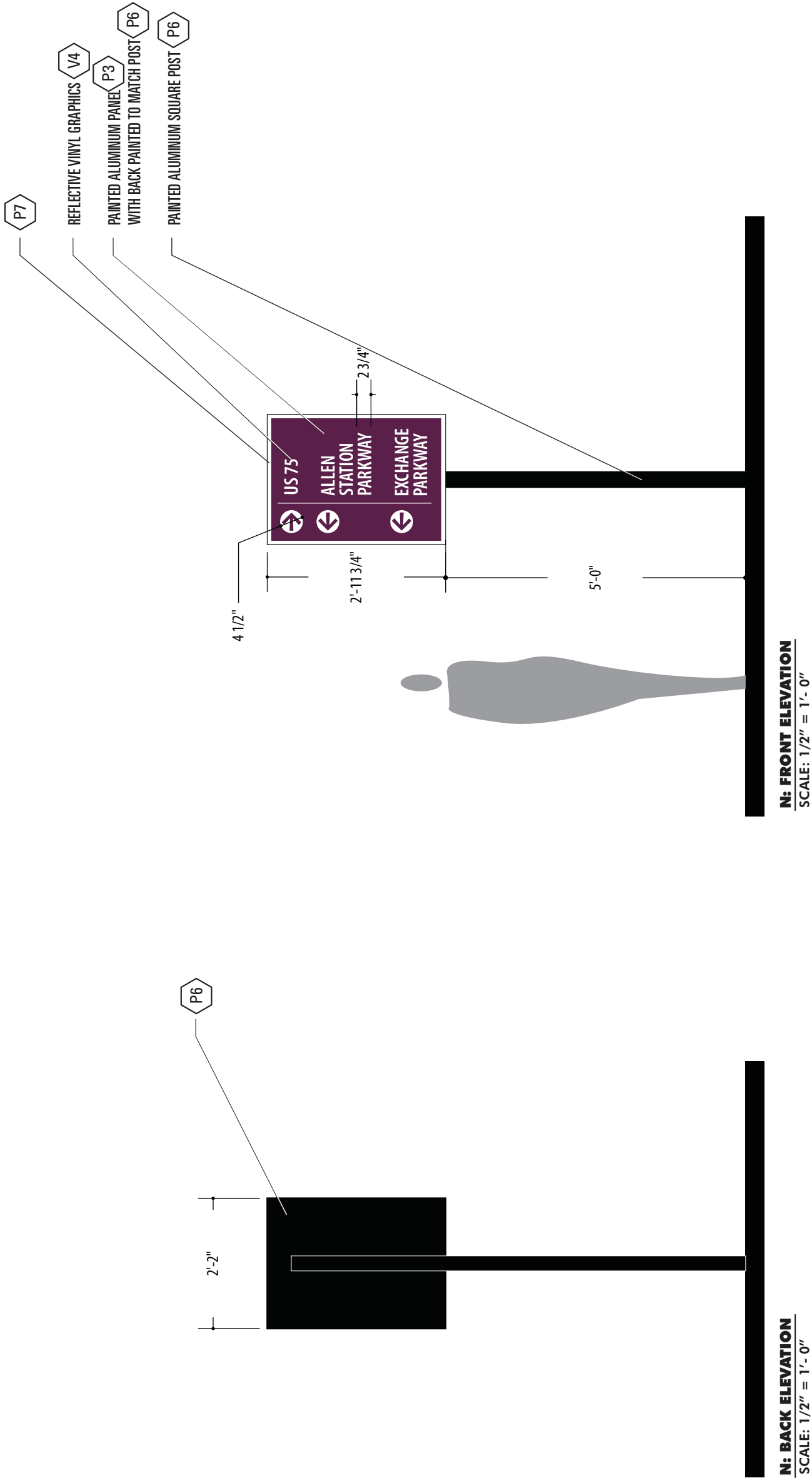
	<b>PROJECT</b> <b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	<b>DWG TITLE</b> <b>TENANT BLADE/CANOPY SIGN</b> <i>Sign Type L</i>	<b>SCALE</b> AS NOTED		<b>DATE</b> 02-24-09	<b>REVISIONS</b> 4	1	2	3
			AS NOTED		02-24-09	4	5	6	7

	<b>PROJECT</b> <b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	<b>DWG TITLE</b> <b>TENANT BLADE/CANOPY SIGN</b> <i>Sign Type L</i>	<b>SCALE</b> AS NOTED		<b>DATE</b> 02-24-09	<b>REVISIONS</b> 4	1	2	3
			AS NOTED		02-24-09	4	5	6	7

	<b>PROJECT</b> <b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	<b>DWG TITLE</b> <b>TENANT BLADE/CANOPY SIGN</b> <i>Sign Type L</i>	<b>SCALE</b> AS NOTED		<b>DATE</b> 02-24-09	<b>REVISIONS</b> 4	1	2	3
			AS NOTED		02-24-09	4	5	6	7

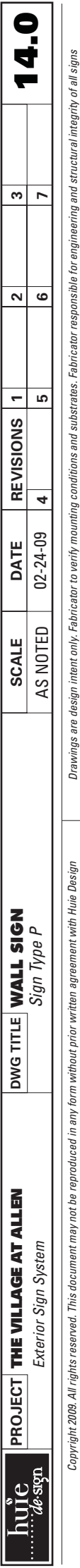
	<b>PROJECT</b> <b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	<b>DWG TITLE</b> <b>TENANT BLADE/CANOPY SIGN</b> <i>Sign Type L</i>	<b>SCALE</b> AS NOTED		<b>DATE</b> 02-24-09	<b>REVISIONS</b> 4	1	2	3
			AS NOTED		02-24-09	4	5	6	7

	<b>PROJECT</b> <b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	<b>DWG TITLE</b> <b>TENANT BLADE/CANOPY SIGN</b> <i>Sign Type L</i>	<b>SCALE</b> AS NOTED		<b>DATE</b> 02-24-09	<b>REVISIONS</b> 4	1	2	3
			AS NOTED		02-24-09	4	5	6	7

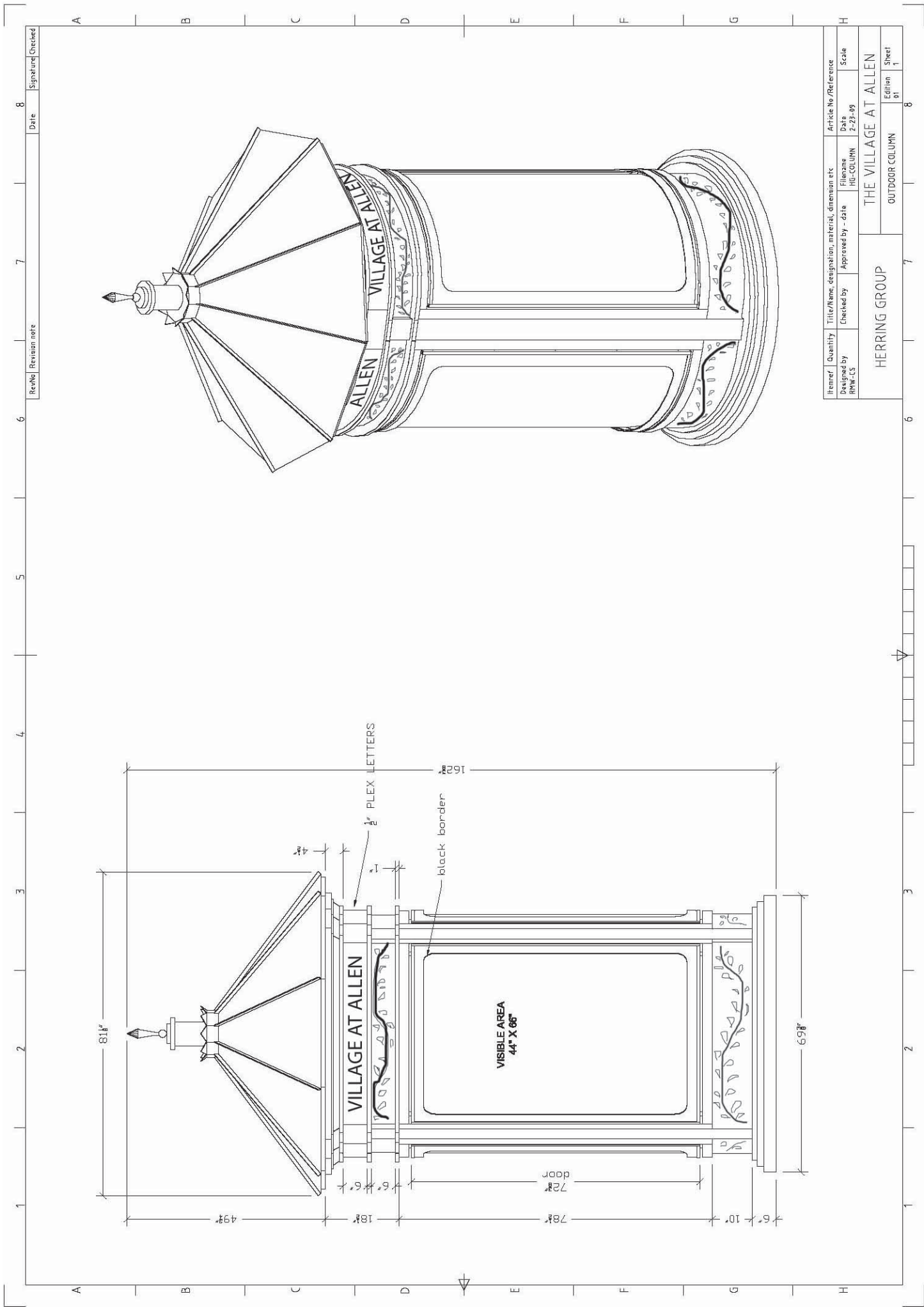


Approved by City Council;  
April 14<sup>th</sup>, 2009


		PROJECT	THE VILLAGE AT ALLEN <i>Exterior Sign System</i>	DWG TITLE	EXIT DIRECTIONAL SIGN POST <i>Sign Type N</i>				SCALE 1/2" = 1'-0"	DATE 02-24-09	REVISIONS		1	2	3	13.0
					4		5	6			7					
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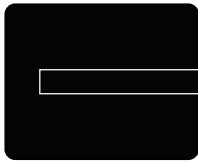
**Approved by City Council;  
April 14<sup>th</sup>, 2009**

	<b>PROJECT</b>	<b>THE VILLAGE AT ALLEN</b> <i>Exterior Sign System</i>	<b>DWG TITLE</b> <i>Sign Type Q</i>	<b>AD BOLLARD</b>					
				SCALE AS NOTED		DATE 02-24-09	REVISIONS 1      2      3		
						4      5      6      7			
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STANDARD DOT PANEL WITH BACK PAINTED  
TO MATCH POST

PAINTED ALUMINUM SQUARE POST




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



5'-0"

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

Approved by City Council;  
April 14<sup>th</sup>, 2009

<div></div>		PROJECT	THE VILLAGE AT ALLEN <i>Exterior Sign System</i>	DWG TITLE	REGULATORY SIGN		SCALE		DATE		REVISIONS		1		2		3		16.0	
					<i>Sign Type R</i>				02-24-09		4		5		6		7			
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Changes between Current and Proposed Sign Chart are indicated below.

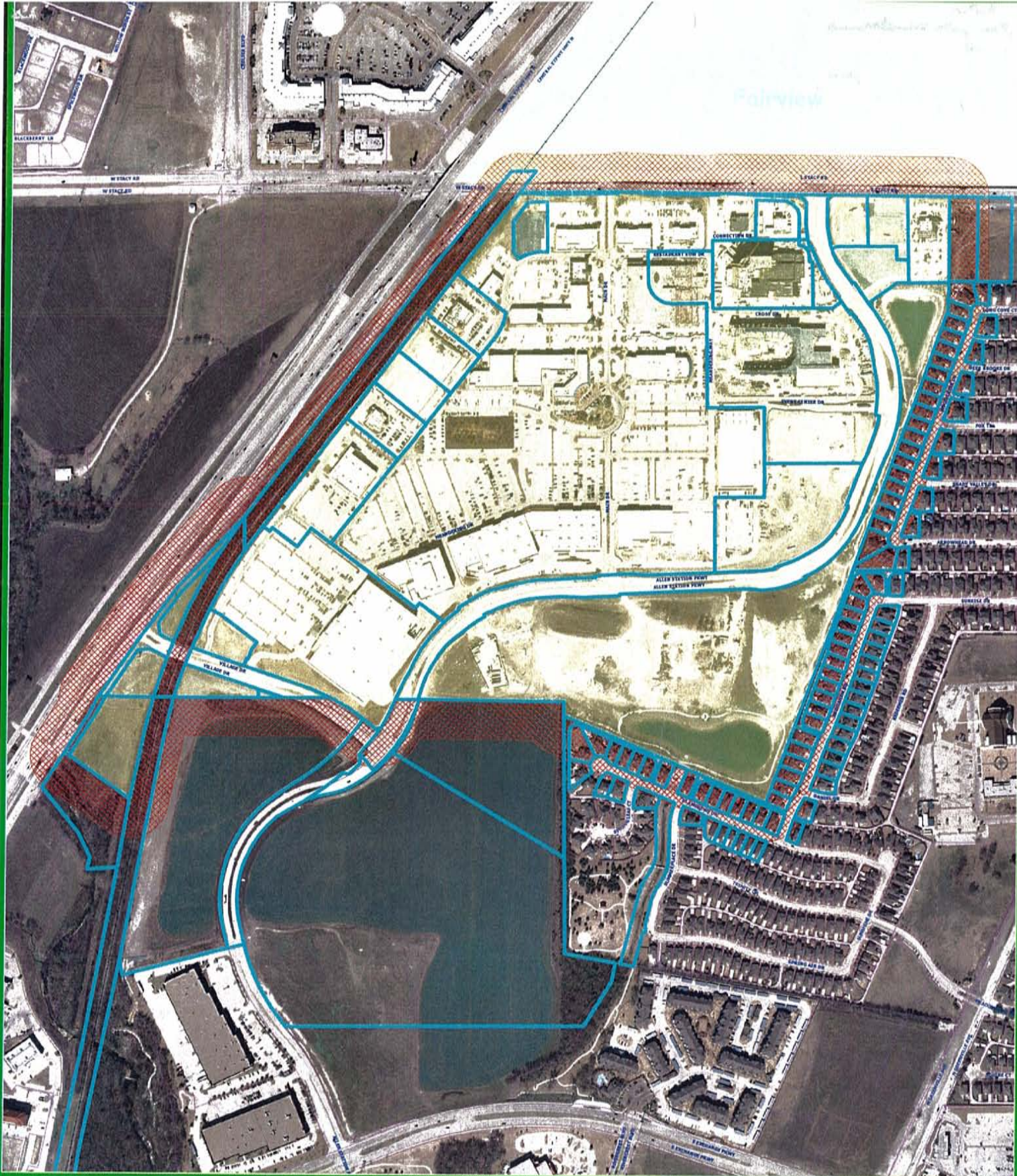
6/9/10

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: MULTI-TENANT ID SIGN (Pylon)	50 FT	400 SF	1500 SF	2	60	N/A		
A2: ID SIGN W/ ELECTRONIC MESSAGE BRD	50 FT	700 SF	1800 SF	1	60	N/A		
A3: MULTI-TENANT VERTICAL MONUMENT ID SIGN	40 FT	180 SF	850 SF	1	60	N/A		
C: FREESTANDING TENANT ID SIGN	20FT	100SF	160 SF	3	60	8		
D: PROJECT ARCHITECTURAL FEATURE	35 FT	80 SF	280 SF	1	60	3		
E1: MULTI TENANT/DIRECTIONAL MONUMENT	6 - 10 FT	30 SF	64 SF	25	60	5		
E2: TENANT ID/DIRECTIONAL MONUMENT	4 - 8 FT	30 SF	64 SF	3	60	5		
F: FREESTANDING VEHICULAR DIRECTIONAL	14 SF	12 SF	56 SF	9	60	NA		
G: FREESTANDING PEDESTRIAN DIRECTIONAL	14 FT	12 SF	NA	11	10	NA		
H: DIRECTORY	10 FT	25 SF	61 SF	17	30	NA		
I: SERVICE DIRECTIONAL	4 FT	10 SF	*16 SF	NA	NA	NA		*Total structure area does not include bracket
L: TENANT BLADE/CANOPY SIGN	4 FT	16 SF	*24 SF	*1	NA	NA		*Does not include bracket *1 per store front Minimum clearance of 7'-6"
		12 SF	*20 SF	*2	NA	NA		*Does not include bracket *2 per store front Minimum clearance of 7'-6"
P: WALL SIGN	8 FT*	25 SF	40 SF	45	N/A	N/A		*MAX HEIGHT OF SIGN FROM TOP TO BOTTOM
Q: AD BOLLARD	13.5 FT	25 SF	91 SF	26	30	N/A		
R: REGULATORY SIGN	NA	NA	NA	NA	NA	NA		Typical DOT post & panel
** LOGO DOES NOT COUNT AS PART OF THE MAXIMUM COPY AREA ON ANY SIGN TYPE**								

Increased from 2

Existing condition.





**PD-73**  
Property Ownership Notification

**Map Legend**

- 200' Buffer Zone
- PD-73 Parcels
- Railroad
- City Limit
- Property Boundary



Planning & Development - GIS  
Revision Date: 07/2013





<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
--------------------------------------------------------------

**AGENDA DATE:** June 15, 2010

**SUBJECT:** Conduct a Public Hearing and consider a request for an SUP Specific Use Permit for a fueling station. The property is 4.83± acres situated in the F. Wilmeth Survey, Abstract No. 999, and the L. Pegues Survey, Abstract No. 702, located south of Cabela Drive and east of US75. (SUP-12/28/09-97) [Rudy's Fueling Station]

**STAFF RESOURCE:** Ogden "Bo" Bass, AICP  
Director of Planning and Development

**PREVIOUS COMMISSION/  
COUNCIL ACTION:** None

**LEGAL NOTICES:** Public Hearing Sign installed on property – 6/4/10  
Property Owner Notices mailed – 6/4/10

**BACKGROUND**

The property is located south of Cabela Drive and east of US 75. The property to the north across Cabela Drive is zoned PD Planned Development No. 73 for SC Shopping Center. The property to the east is zoned PD Planned Development No. 103 for SC Shopping Center and the property to the south is zoned PD Planned Development No. 58 for SC Shopping Center.

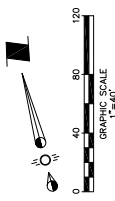
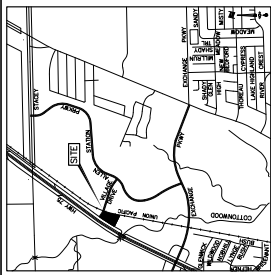
The PD Planned Development for the property requires an SUP Specific Use Permit be applied for if a fueling station is desired on the property. The applicant has submitted an SUP request that includes a combined restaurant and fueling station for the property. Staff has reviewed the proposed use, site plan, and vehicular access for the property and found it to be acceptable.

**STAFF RECOMMENDATION**

Approval

**ATTACHMENTS**

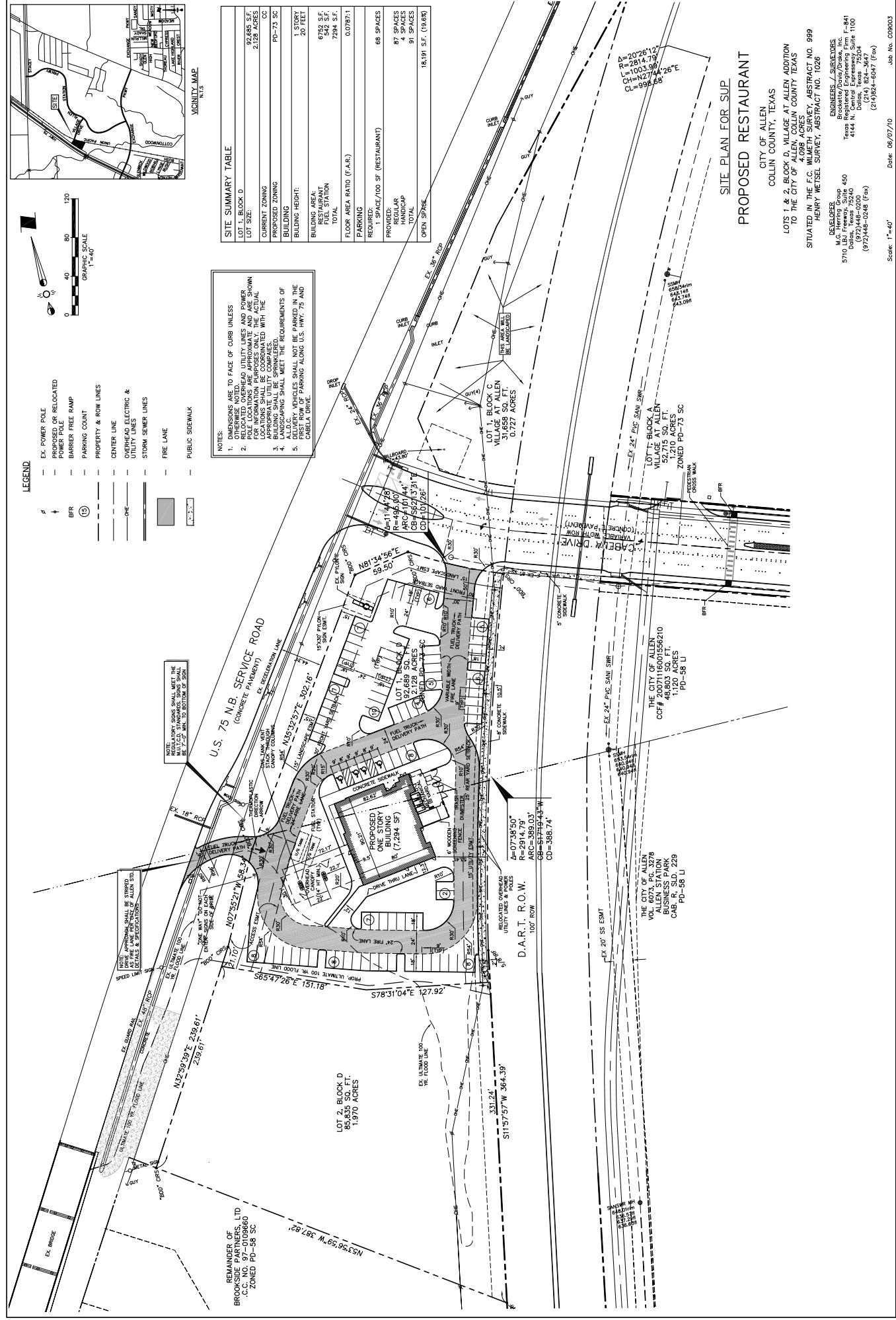
Site Plan for Specific Use Permit  
Property Notification Map



- LEGEND**
- EX. POWER POLE
  - PROPOSED OR RELOCATED POWER POLE
  - BFR - BARRIER FREE RAMP
  - PROPERTY & ROW LINES
  - CENTER LINE
  - OVERHEAD ELECTRIC & UTILITY LINES
  - STORM SEWER LINES
  - FIRE LANE
  - PUBLIC SIDEWALK

- NOTES:**
1. DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
  2. POLE LOCATIONS ARE APPROXIMATE AND ARE SHOWN FOR INFORMATION PURPOSES ONLY. THE ACTUAL LOCATIONS SHALL BE DETERMINED BY THE APPROPRIATE UTILITY COMPANIES.
  3. LANDSCAPING SHALL MEET THE REQUIREMENTS OF A.L.D.C.
  4. VEHICLES SHALL NOT BE PARKED IN THE FIRST ROW OF PARKING ALONG U.S. HWY. 75 AND CABELA DRIVE.

SITE SUMMARY TABLE	
LOT 1, BLOCK D	92,685 S.F.
LOT SIZE:	2,128 ACRES
CURRENT ZONING	CC
PROPOSED ZONING	PD-73 SC
BUILDING	1 STORY
BUILDING HEIGHT	20 FEET
BUILDING AREA	6752 S.F.
RESTAURANT	7284 S.F.
TOTAL	7284 S.F.
FLOOR AREA RATIO (F.A.R.)	0.0787:1
PARKING	68 SPACES
REQUIRED SPACE/100 SF (RESTAURANT)	87 SPACES
PROVIDED:	87 SPACES
REGULAR	4 SPACES
HANDICAP	91 SPACES
TOTAL	15,181 S.F. (19,695)
OPEN SPACE	



**SITE PLAN FOR SUP  
PROPOSED RESTAURANT**

CITY OF ALLEN  
COLLIN COUNTY, TEXAS

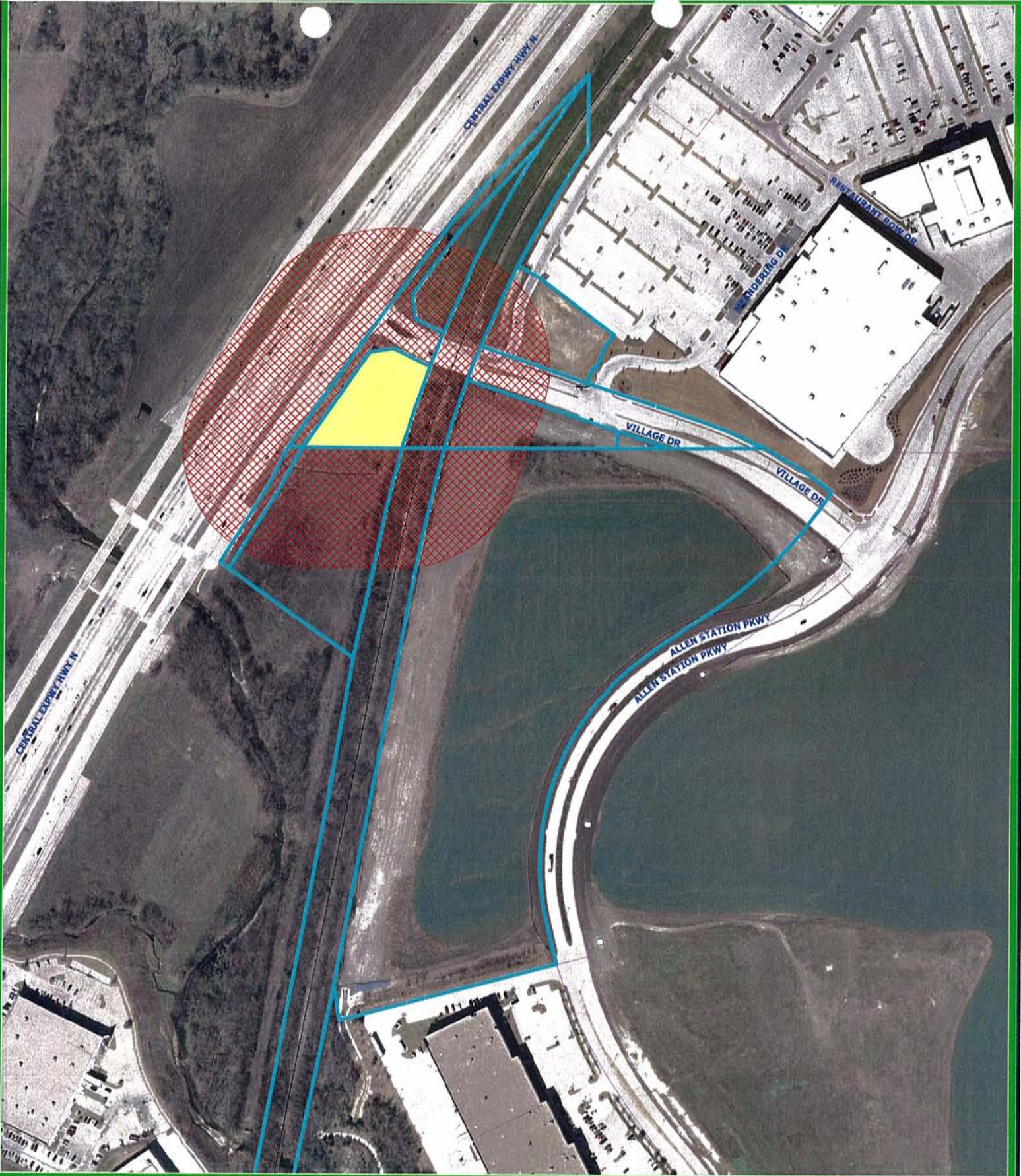
LOTS 1 & 2, BLOCK D, VILLAGE AT ALLEN ADDITION  
TO THE CITY OF ALLEN, COLLIN COUNTY TEXAS

SITUATED IN THE F.C. WILMETH SURVEY, ABSTRACT NO. 999  
HENRY WETSEL SURVEY, ABSTRACT NO. 1026

DEVELOPER  
M.C. Herring Group  
5710 N. Central Expressway, Suite 450  
Dallas, Texas 75240  
(972) 448-0200  
(972) 448-0205 (fax)

ENGINEERS / SURVEYORS  
Brookside Partners, Ltd.  
414 N. Central Expressway, Suite 1100  
Dallas, Texas 75204  
(214) 824-6047 (fax)





**RUDY'S**  
Property Ownership Notification

#### Map Legend

- Proposed Rezone Parcel
- Railroad
- City Limit
- Property Boundary



Planning & Development - GIS  
Revision Date: 05/10/18





<b>PLANNING &amp; ZONING COMMISSION AGENDA COMMUNICATION</b>
--------------------------------------------------------------

**AGENDA DATE:** June 15, 2010

**SUBJECT:** Consider a Preliminary Plat for The Village At Allen, Lot 1, Block C, & Lot 1 & 2, Block D, being 6.120± acres located at the northeast corner of US75 and Cabela Drive. (PP-12/28/09-101) [Rudy's Fueling Station]

**STAFF RESOURCE:** Helen-Eve Liebman, AICP  
Senior Planner

**PREVIOUS COMMISSION/  
COUNCIL ACTION:** None

**BACKGROUND**

The property is located north and south of Cabela Drive and east of US 75. The property to the north and east is zoned PD Planned Development No. 73 for SC Shopping Center. The property to the south is currently zoned PD Planned Development No. 45 for LC Light Commercial.

The Preliminary Plat is subdividing the land into three lots for future development.

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

**STAFF RECOMMENDATION**

Approval

**ATTACHMENTS**

Preliminary Plat



## PLANNING & ZONING COMMISSION AGENDA COMMUNICATION

**AGENDA DATE:** June 15, 2010

**SUBJECT:** Conduct a Public Hearing and consider a request to create PD Planned Development No. 105 and to adopt development regulations for the property. The property is 197.74± acres of land situated in the David H. Nix Survey, Abstract No. 668, in the T.G. Kennedy Survey, Abstract No. 500, the James Wilcox Survey, Abstract No. 1017, and the Michael See Survey, Abstract No. 543, City of Allen, Collin County, Texas; located north and south of Bethany Drive and west of US75. (Z-4/23/10-31) [Montgomery Farm]

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

**PREVIOUS COMMISSION/  
COUNCIL ACTION:** None

**LEGAL NOTICES:** Public Hearing Sign installed on property – 6/4/10  
Property Owner Notices mailed – 6/4/10

### **BACKGROUND**

The property is located north and south of Bethany Drive and west of US75. The property to the north is PD Planned Development No. 26 for SF Single Family and PD Planned Development No. 76 for R5 Residential. The property to the east is zoned PD Planned Development No. 76 for LR Local Retail and TH Town Home, PD Planned Development No. 74 for CF Community Facilities, R5 Residential and O Office. The property to the west is zoned CF Community Facilities, PD Planned Development No. 31 for SF Single Family and CF Community Facilities. The property to the south, across Rowlett Creek, is the City of Plano.

The proposed zoning request will provide additional development regulations for the remaining undeveloped land in Montgomery Farms. The attached zoning exhibit identifies the limits of the zoning request. The three additional development regulations are:

1. The opportunity to create a Master Maintenance Organization (MMO) for the maintenance and improvement of the overall common open space throughout Montgomery Farms. The proposed MMO will require further City and Council review;
2. Recognizes the Montgomery Farm Pattern Book as a non-binding design standard guide; and
3. Adopt a process for the application of Flexible Design Standards that will allow for individual consideration of design standards that vary from the Allen Land Development Code (ALDC). The Director of Planning and Development and the Director of Engineering will jointly consider the benefits and appropriateness of a proposed design standard alternative and approve or deny the alternative. The Flexible Design Standards provision would not require a PD Planned Development amendment. The Standards would not allow consideration of land use/zoning or density increases. An appeal process is also established in the proposed PD Regulations that would allow for Planning & Zoning Commission and City Council review of differing opinions of staff and the developer.

The proposed zoning request does not alter or change any of the PD Planned Development Regulations or Concept Plans for any of the previously approved PD Planned Developments. The current zoning and densities are not modified in this zoning request.



**STAFF RECOMMENDATION**

Approval

**ATTACHMENTS**

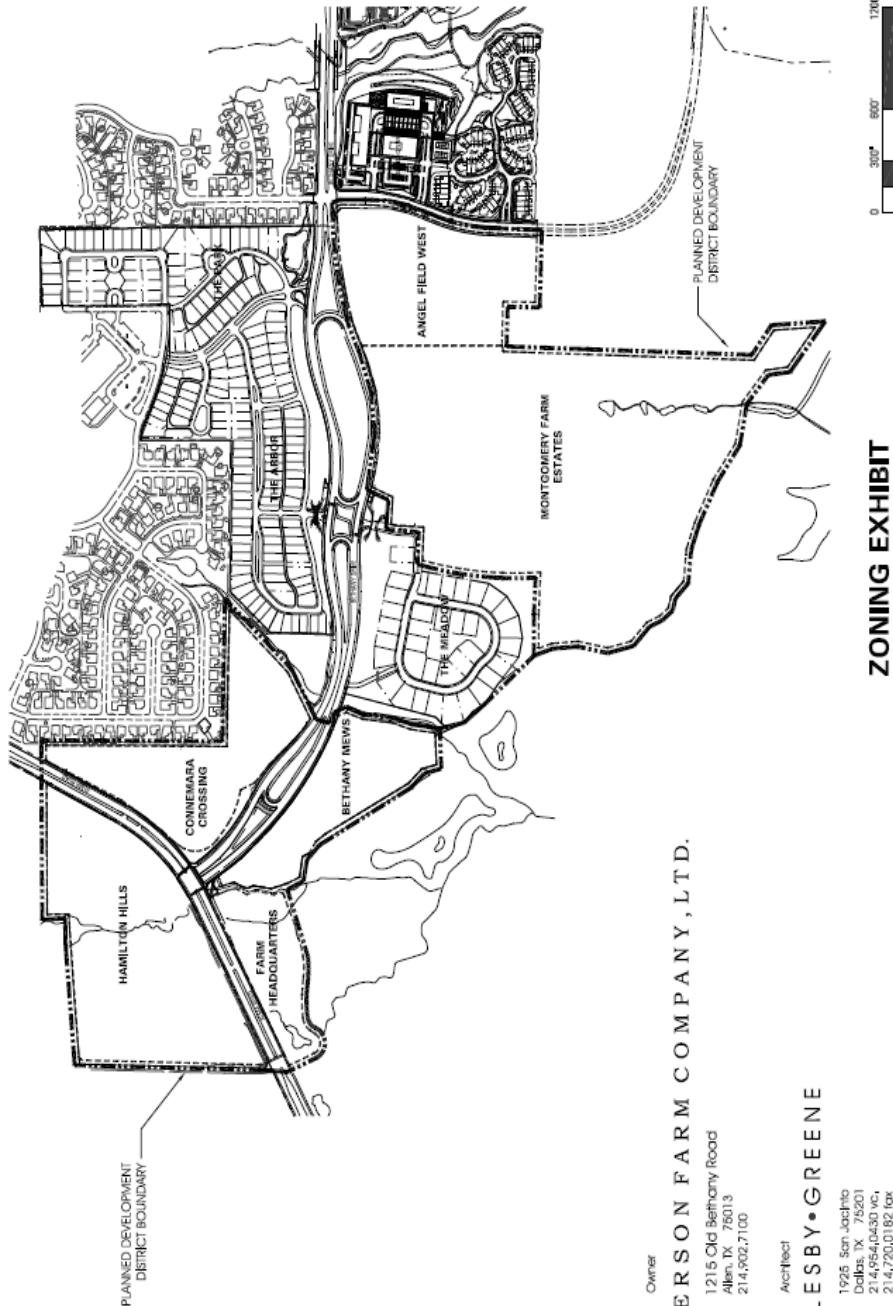
Zoning Exhibit

PD Planned Development Regulations

Montgomery Farm Pattern Book

Property Owner Notification Map

# MONTGOMERY FARM



## EXHIBIT "C" SUBAREA MAP

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATIONS AND ZONING MAP WITH RESPECT TO AN APPROXIMATELY 197.74± ACRE TRACT OF LAND IN THE DAVID H. NIX SURVEY, ABSTRACT NO. 668, MICHAEL SEE SURVEY, ABSTRACT NO. 543, AND THE T.G. KENNEDY SURVEY, ABSTRACT NO. 500, CITY OF ALLEN, COLLIN COUNTY, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT “A” ATTACHED HERETO, WHICH IS PRESENTLY ZONED “PD” PLANNED DEVELOPMENT NO. 96, BY CHANGING THE ZONING TO “PD” PLANNED DEVELOPMENT NO. 105; ADOPTING MASTER DEVELOPMENT REGULATIONS FOR THE ENTIRE PROPERTY, DEFINING SUBAREAS OF THE PROPERTY, ADOPTING SUBAREA DEVELOPMENT REGULATIONS FOR RESPECTIVE SUBAREAS, AND PROVIDING FOR CONCEPT PLANS FOR CERTAIN SUBAREAS; PROVIDING FOR A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) 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 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, the City Council has concluded that the Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be further amended as follows:

**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, Texas, as heretofore amended, are hereby further amended by changing the zoning of an approximately 197.74± acre tract of land out of the David H. Nix Survey, Abstract No. 668, Michael See Survey, Abstract No. 543, and the T.G. Kennedy Survey, Abstract No. 500, City of Allen, Collin County, Texas, said property being further described in Exhibit “A” attached hereto and incorporated herein by reference (“the Property”) from “PD” Planned Development District No. 96 to “PD” Planned Development District No. 105.

**SECTION 2:** The Property (also sometimes referred to herein as “Montgomery Farm”) shall be developed in accordance and used in accordance with the applicable provisions of the Allen Land Development Code, as amended, as well as the following Master Development Regulations:

**A. Purpose.** Montgomery Farm is intended to provide a distinctive residential community consisting of a creative and cohesive arrangement of homes, many adjacent to substantial open areas. In

the event of a conflict between these regulations and any provision in an ordinance of the City, these regulations shall control; provided, however, that all other provisions of said ordinances not in conflict herewith shall remain in full force and effect.

**B. Definitions:** For purposes of this Ordinance, the following terms shall have the following meanings:

1. “ALDC” shall mean the Allen Land Development Code, as amended.
2. “City Engineer” shall mean the City of Allen City Engineer, the City Engineer’s designee, or such other person to whom the authority of the City Engineer under the ALDC has been delegated by the City Council of the City of Allen or the City Manager, as appropriate.
3. “Community Reserve Areas” shall mean those areas of the Property designated as such on a final plat, general development plan, concept plan, or in a restrictive covenant.
4. “Directors,” unless the context clearly indicates otherwise, shall collectively mean the City of Allen Director of Planning and Development and the City of Allen Director of Engineering, the Directors’ respective designees, or such other people to whom the authority of the Directors under the ALDC has been delegated by the City Council of the City of Allen or the City Manager, as appropriate.
5. “HOA” shall mean Homeowners Association as set forth in the ALDC.
6. “Master Development Regulations” shall mean the use and development regulations contained in this Section Two of this Ordinance.
7. “Master Maintenance Organization” or “MMO” shall mean an organization that includes among its obligations and authority the ownership and maintenance of Community Reserve Areas.
8. “Montgomery Farm Pattern Book” or “Pattern Book” shall mean the document prepared by MESA Design and dated June 2010, as amended, which sets forth guidelines for development of the Property. A true and correct copy of the Pattern Book shall be retained in the Office of the City Secretary and is incorporated herein by reference.
9. “Property” shall mean the real property located in the City of Allen, Collin County, Texas, described in Exhibit “A” of this Ordinance.
10. “Neighborhood Reserve Areas” shall mean the common areas, open areas, landscape features and elements located in open areas within a subdivision designated as such on a final plat, general development plan, concept plan, or in a restrictive covenant that are not Community Reserve Areas.
11. “Subarea” shall mean an identified area within the Property which is to be developed in accordance with Subarea Development Regulations approved by the City with respect said identified area, but which is also subject to the provisions of these Master Development Regulations and applicable provisions of the ALDC, as amended. The general boundaries of the respective Subareas are identified in Exhibit “B” attached hereto and incorporated herein by reference.

13. “Subarea Development Regulations” shall mean regulations controlling the use and development of the respective Subareas set forth in Exhibits “C” through ”H”, inclusive, of this Ordinance or as modifications to such exhibits are otherwise approved by separate City ordinance, which exhibits are attached hereto and incorporated herein by reference.

**C. Concept Plan/General Development Plan.** Subject to the Master Development Regulations and the Subarea Regulations, the Property shall be developed in general conformance with concept plans and/or general development plans approved by the City for each Subarea.

**D. Development Standards for Subareas.** Subareas shall be developed in accordance with these Master Development Regulations and the Subarea Development Regulations and Concept Plans set forth in the following exhibits attached hereto:

<b>Subarea</b>	<b>Subarea Development Regulations</b>	<b>Concept Plan</b>
Angel Field West	Exhibit “C”	Exhibit “C-1”
Hamilton Hills	Exhibit “D”	Exhibit “D-1”
Bethany Mews	Exhibit “E”	Exhibit “E-1”
Connemara Crossing	Exhibit “F”	Exhibit “F-1”
Montgomery Farm Estates	Exhibit “G”	

**E. Montgomery Farm Pattern Book.** The Montgomery Farm Pattern Book shall serve as a general guide for development within the Property but, notwithstanding its incorporation as part of this Ordinance, does not constitute a regulation relating to the use and development of the Property. In the event of an irreconcilable conflict between the development standards set forth in these Master Development Regulations, the applicable Subarea Development Regulations, and the standards set forth in the ALDC, the Directors may approve a modification to the development standards based on the information contained in the Montgomery Farm Pattern Book.

**F. Maintenance and Ownership of Neighborhood Reserve Areas and Community Reserve Areas**

1. Establishment of HOA’s and MMO. HOA’s shall be created in accordance with Section 8.20 of the ALDC, as amended, and shall be responsible for the continuous and perpetual operation, maintenance and/or supervision of the Neighborhood Reserve Areas and Community Reserve Areas located in one or more Subareas; provided, however, a MMO may be established in accordance with the provisions of these Master Development Regulations which, if established, shall be responsible for the continuous and perpetual operation, maintenance and/or supervision of the Community Reserve Areas located throughout the Property. One or more Subareas may be subject to the same HOA, and, if an MMO is established, all Subareas shall be subject to both the HOA established for the Subarea and the MMO.

2. Dedication and/or Ownership. Neighborhood Reserve Areas shall be dedicated by easement or deeded in fee simple to the HOA governing the Subarea in which the Neighborhood Reserve Areas are located and shall be identified on the final plat of the area of the Property in which they are located. Community Reserve Areas shall be dedicated by easement or deeded in fee simple to an HOA or, if established, the MMO, and shall be identified on the final plat of the area of the Property where they are located.

3. Approval and Recording of CCR’s. A copy of the agreements, covenants and



restrictions establishing and creating the MMO must be approved by the city attorney prior to the approval of the final plat of each Subarea and filed in the Official Public Records of Collin County, Texas, prior to or concurrently with the final plat of the first Subarea to be platted. The recorded final plat of each Subarea shall clearly identify all facilities, structures, improvements systems, areas or grounds that are to be operated, maintained and/or supervised by the MMO and each HOA.

4. Contents of the MMO agreements. At a minimum, the agreements, covenants and restrictions establishing and creating the MMO required herein shall contain and/or provide for the following:

- a. Definitions of terms contained therein;
- b. Provisions acceptable to the City for the establishment and organization of the MMO and the adoption of bylaws for the MMO;
- c. The initial term of the agreement, covenants and restrictions establishing and creating the MMO shall be for a 25-year period and shall automatically renew for successive ten-year periods;
- d. the MMO may not be dissolved without the prior written consent of the City;
- e. Provisions acceptable to the City to ensure the continuous and perpetual use, operation, maintenance and/or supervision of the Community Reserve Areas and all other facilities, structures, improvements, systems, open space or common areas that are responsibility of the MMO (or, if the MMO is not established, the appropriate HOA), including, but not limited to, the right of the MMO (or HOA, as appropriate) to assess the costs of such use, operation, maintenance and/or supervision to owners of the Property and to enforce the payment of such assessments by a lien against each lot or tract within the Property as provided by the approved agreements, covenants, and restrictions to the extent allowed by law and the right to establish a reserve fund for such purposes;
- f. Provisions prohibiting the amendment of any portion of the MMO agreements, covenants or restrictions pertaining to the use, operation, maintenance and/or supervision of Community Reserve Areas, or any facilities, structures, improvements, systems, area or grounds that are the responsibility of the MMO, without the prior written consent of the City;
- g. The right and ability of the City or its lawful agents, after due notice to the MMO, to remove any landscape systems, features or elements that cease to be maintained by the MMO; to perform the responsibilities of the MMO and its board of directors if the MMO fails to do so in compliance with any provisions of the agreements, covenants or restrictions of the MMO or of any applicable city codes, ordinances, or regulations; to assess the MMO for all costs incurred by the City in performing said responsibilities if the MMO fails to do so; and/or to avail itself of any other enforcement actions available to the City pursuant to state law or city codes, ordinances, or regulations; and
- h. Provisions indemnifying and holding the City harmless from any and all

costs, expenses, suits, demands, liabilities or damages including attorney's fees and costs of suit, incurred or resulting from the City's removal of any landscape systems, features or elements that cease to be maintained by the MMO or from the City's performance of the aforementioned operation, maintenance or supervision responsibilities of the MMO due to the MMO's failure to perform said responsibilities.

In the event that a MMO is not established, the provisions of this Section F shall be applicable to the agreements, covenants, and restrictions of each HOA governing the Subarea in which a Community Reserve Area is located.

**G. Thoroughfares and Streets.** Thoroughfare and street standards for each Subarea, to the extent they are different from the City's regular standards, shall be as set forth in the Subarea Development Regulations.

**H. Flexible Standards**

1. General Intent. It is generally intended that the development standards set forth in these Master Development Regulations, the Subarea Development Regulations, and the Montgomery Farm Pattern Book shall be flexible in order to encourage development within this Planned Development District.

2. Directors' Authority to Modify Standards. The Directors shall have the authority, but not the obligation, to approve or modify a request for modification to any standard set forth in these Master Development Regulations or the Subarea Development Regulations and in the Montgomery Farm Pattern Book provided such modification does not:

a. result in the approval of a land use not otherwise authorized in this Planned Development District or, to the extent not modified by the Master Development Regulations or any Subarea Development Regulation, the Zoning Map of the City of Allen; or

b. increase the allowable intensity or density of any land use under this Ordinance or any ordinance approving Subarea Development Regulations for a Subarea; or

c. effectively result in an amendment to the ALDC to an extent beyond the amendments established by this Ordinance or an ordinance approving the Subarea Development Regulations for a Subarea.

3. Appeal to Commission. The decision of the Directors on a request for a modification to the standards set forth in the Master Development Regulations or the Subarea Development Regulations may be appealed to the Planning and Zoning Commission by the person or entity requesting such modification by making written application to the Commission not later than ten (10) days after the date the Directors deny the request. Upon consideration of said appeal, the Commission may:

a. affirm the decision of the Directors;

b. modify the original request, but only to the extent of the original request;

or

- c. grant the application for modification as originally requested.

For purposes of this Paragraph 3, the failure of the Directors to take any action on a request for modification within fifteen (15) days after delivery of the request pursuant to Paragraph 2, above, shall be deemed a denial.

4. Appeal to City Council. The decision of the Planning and Zoning Commission:

- a. affirming the Directors' decision to deny an application for modification as requested in Paragraph 3, above, may be appealed by the applicant;
- b. modifying the original request may be appealed by the applicant or the Directors;
- c. granting the original request may be appealed by the Directors;

to the City Council by filing a written request for appeal with the City Secretary not later than ten (10) days after the decision of the Commission. The City Council may affirm, overturn, or modify the decision of the Commission at its discretion. The decision of the City Council shall be final.

5. Construction Standards. Development standards set forth in these Master Development Regulations, the Subarea Development Regulations, in the Montgomery Farm Pattern Book, and in the ALDC relating to construction design may be modified as part of the approval of the final civil engineering plans by the City Engineer to the extent the City Engineer determines to be reasonable and necessary to provide for sustainable construction methods for development of the Property.

**I. Changes and Amendments.** With respect to amendments to the use and development regulations set forth in this Ordinance other than modifications to development standards made by the Directors pursuant to the authority granted in Subsection H, above:

1. Any change in these Master Development Regulations are deemed to affect all of the Property and shall require an amendment to this Ordinance that complies with all procedural requirements of the ALDC and applicable state law including, but not limited to, notice to all owners of tracts or lots within the boundaries of the Property and within two hundred (200) feet of said boundary.

2. Any change in Subarea Development Regulations set forth in Exhibits "C" through "G," hereto, respectively, are deemed to affect only the Subarea to which said Subarea Development Regulations apply as set depicted in Exhibit "B," hereto, and shall require an amendment to this Ordinance that complies with all procedural requirements of the ALDC and applicable state law including, but not limited to, notice to all owners of tracts or lots within the boundaries of the Subarea and within 200 feet of the boundary of the Subarea.

3. Any change in Subarea Development Regulations set forth in Exhibits "C" through "G," hereto, respectively, that is intended to apply to only a portion of the property within a Subarea is deemed to affect only the property described in the application requesting such change and shall require an amendment to this Ordinance that complies with all procedural requirements of the ALDC and applicable state law including, but not limited to, notice to all owners of tracts or lots within the boundaries of the portion of the property described in the application and within two

hundred (200) feet of the boundary of said property. Changes in the boundaries of the Subareas that result in shifting one or more portions of one or more Subareas to a different Subarea shall fall within the scope of this paragraph.

**SECTION 3.** The Property shall be used only in the manner and for the purposes provided for in the Allen Land Development Code of the City of Allen, Texas, as heretofore amended, and as amended herein.

**SECTION 4.** In the event of an irreconcilable conflict between the provisions of another ordinance of the City of Allen and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

**SECTION 5.** Planned Development No. 96, Ordinance No. 2559-09-06, as heretofore amended, shall continue in full force and effect, with respect to the use and development of any property described therein which is not included within the boundaries of the Property.

**SECTION 6.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the Allen Land Development Code, 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 7.** 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 8.** 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 of the City of Allen, 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 9.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 13<sup>TH</sup> DAY OF JULY 2010.**

**APPROVED:**

\_\_\_\_\_  
**Stephen Terrell, Mayor**

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**Peter G. Smith, City Attorney**

\_\_\_\_\_  
**Shelley B. George, TRMC, City Secretary**

**EXHIBIT “A”**

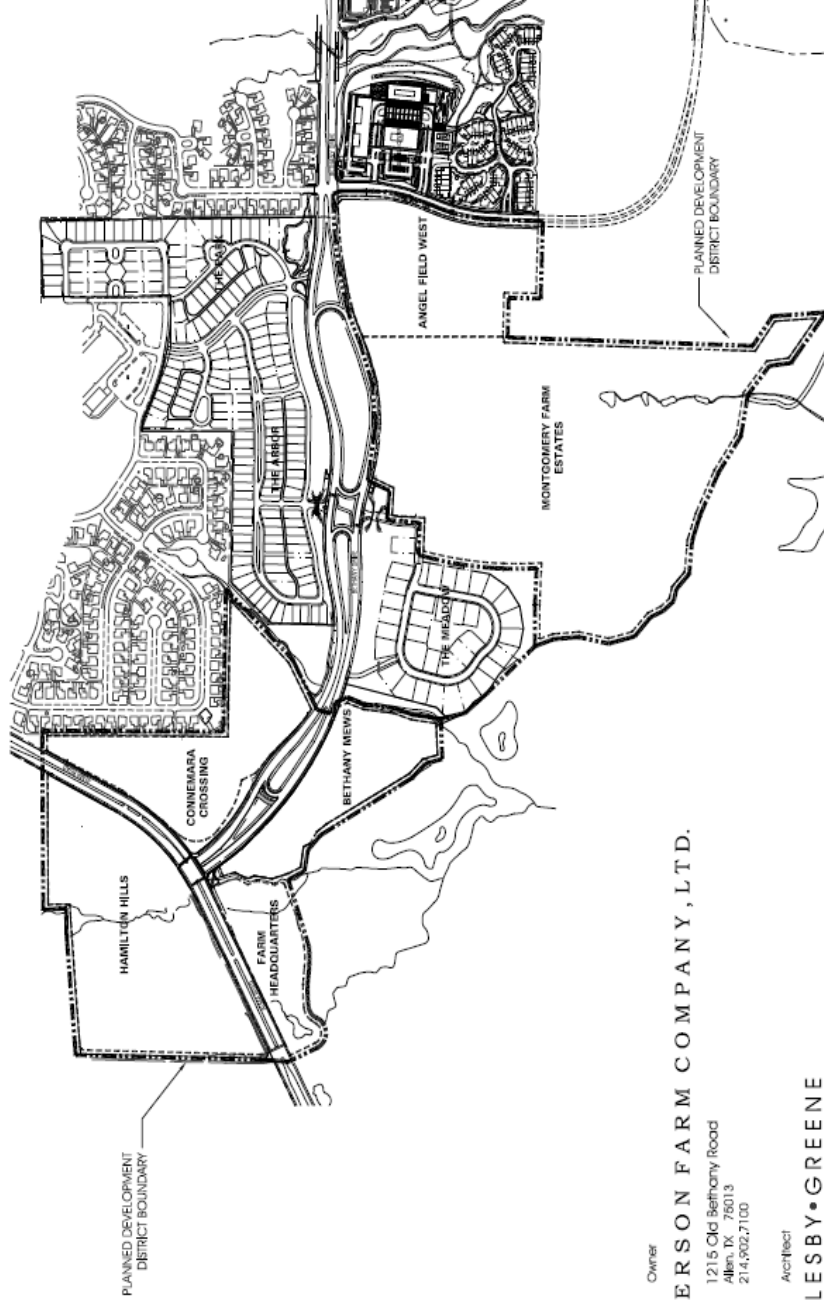
**LEGAL DESCRIPTION OF PROPERTY**

*[Metes and Bounds Description and Illustration of “The Property”  
]*



**EXHIBIT "B"**  
**SUBAREA MAP**

**MONTGOMERY FARM**



Owner  
**EMERSON FARM COMPANY, LTD.**  
1215 Old Bethany Road  
Allen, TX 75013  
214.922.7100

Architect  
**OGLESBY•GREENE**  
1925 San Jacinto  
Dallas, TX 75201  
214.964.0430 vc,  
214.720.0182 fax

**ZONING EXHIBIT**



**EXHIBIT “C”**  
**PLANNED DEVELOPMENT DISTRICT “105-A”**  
**ANGEL FIELD WEST**  
**SUBAREA DEVELOPMENT REGULATIONS**

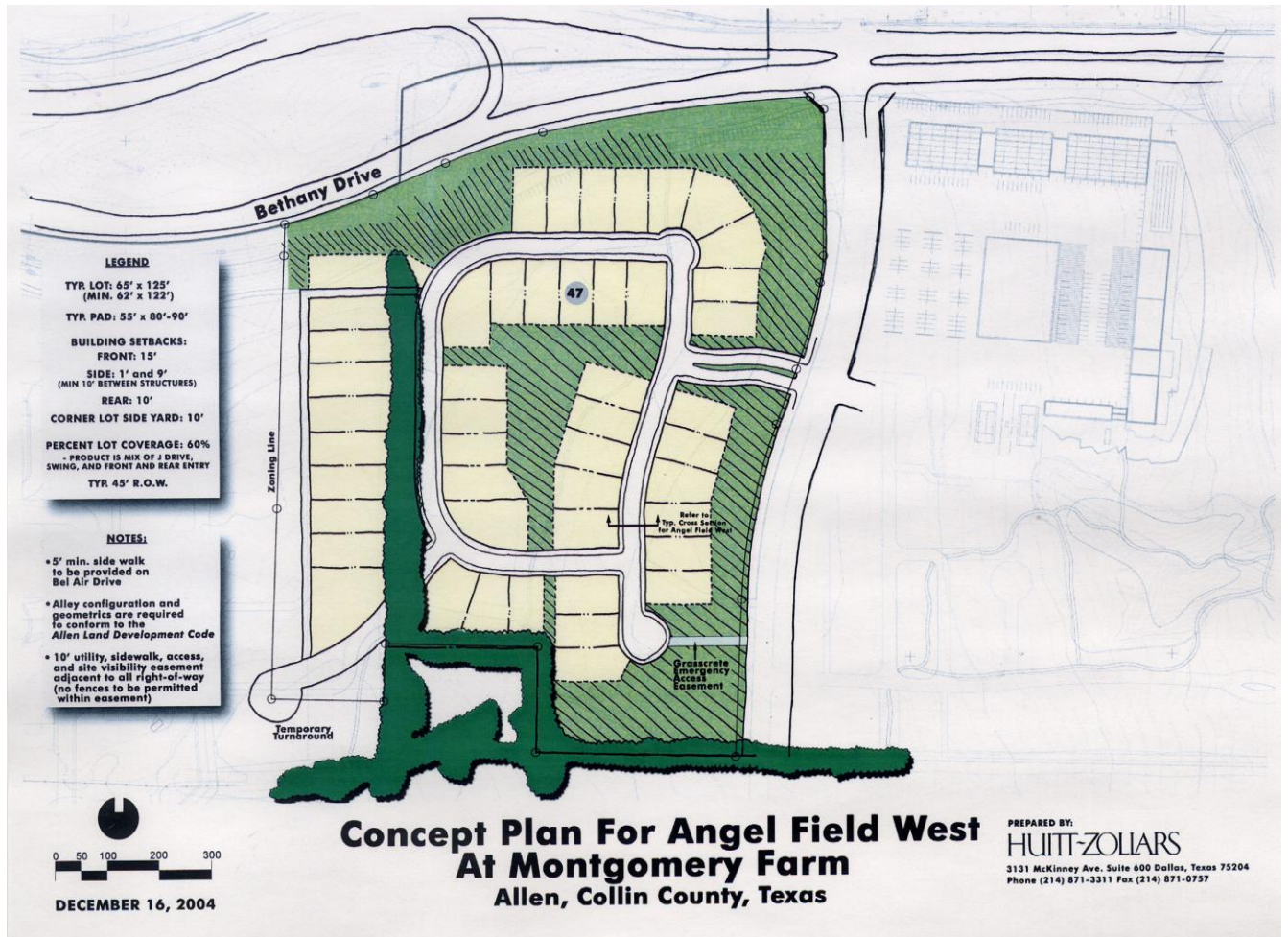
A. Angel Field West shall be developed in accordance with the Concept Plan attached to this Ordinance as shown on Exhibit “C-1” and the following Subarea Development Regulations:

1. Base zoning district: “R-5”
2. Front yard setback: 15 feet
3. Minimum side yard setback: 0 feet, provided the minimum side yard for the side yard of a corner lot along a street shall be 10 feet
4. Minimum building separation: 10 feet
5. Minimum rear yard setback: 0 feet
6. Minimum lot width: 60 feet
7. Minimum lot depth: 120 feet
8. Maximum lot coverage: 60%

B. In order to preserve existing trees, there shall be no minimum side and/or rear yard except as otherwise provided.

C. Thoroughfares: All internal rights-of-ways shall be a minimum of forty-five (45) feet.

**EXHIBIT "C-1"**  
**CONCEPT PLAN FOR ANGEL FIELD WEST**



**EXHIBIT “D”**  
**PLANNED DEVELOPMENT DISTRICT “105-B”**  
**HAMILTON HILLS**  
**SUBAREA DEVELOPMENT REGULATIONS**

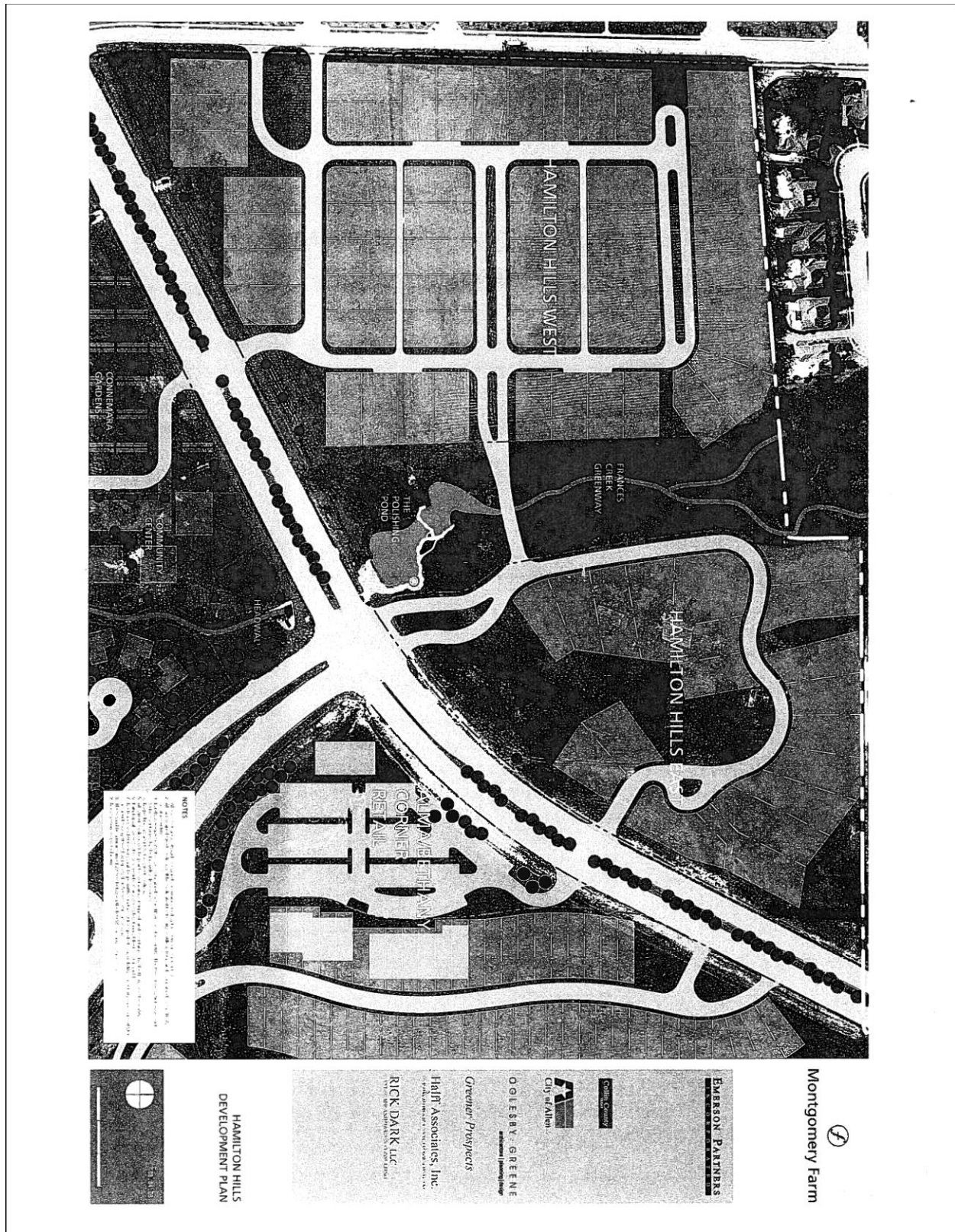
- A. Purpose: Hamilton Hills is intended to provide a distinctive residential community consisting of a creative and cohesive arrangement of larger, almost estate homes on the east side of the drainage way that traverses the Subarea, and a combination of single family lot sizes on the west side of the drainage way.
- B. Concept Plan: The property within this Subarea shall be developed in general accordance with the Concept Plan set forth in Exhibit D-1 of this Ordinance.
- C. Development Standards for Residential Areas:
1. Base Zoning District: For the areas designated as residential on the Concept Plan, the base zoning shall be “R-6” Single-Family Residential District as amended and as modified herein.
  2. Uses: Except as otherwise permitted herein, the only uses permitted in this Subarea shall be the following:
    - a. Dwelling, Singe Family (Detached)
    - b. Park or Playground
    - c. Real Estate Sales Office (T)
    - d. Cisterna
    - e. Construction Office (T)
    - f. Construction Office (T)
    - g. Home Occupation
  3. Height and Area Regulations for residential areas:

Front Yard Setback	10 feet/a minimum of 20 feet must be provided between the garage door of a home and the adjacent right-of-way; the cisterna structure must be setback 15 feet from adjacent rights-of-way; any walls erected as part of a landscape/water feature must be setback 10 feet from adjacent rights-of-way
Side Yard Setback	None
Rear Yard Setback	10 feet
Maximum height of building	35 feet/95 feet for cisterna
Minimum lot area	6,000 sq. ft.
Minimum lot width	50 feet
Minimum lot depth	100 feet
Minimum area per residential dwelling unit	2,000 sq. ft.
Maximum lot coverage	55%

4. As an exception to Section 8.06. Lot Design of the Allen Land Development Code, lots adjacent to open spaces, such as the lots at the northwest corner of the Property as shown on the Concept Plan, shall not be required to have frontage on a dedicated public street or public way provided such lots have driveway access provided to buildings on the lots from an improved street, alley, or public way.
- D. Thoroughfare: All internal rights-of-way shall be a minimum of 45 feet with a 10 foot pedestrian, utility/access easement located adjacent to each street. The minimum right-of-way for Tatum Drive shall be 60 feet with a 70 foot flare at the intersection with Alma Drive.
- E. Single family lots shall not have access to Bethany, Alma, or Tatum Drives.



**EXHIBIT "D-1"**  
**HAMILTON HILLS DEVELOPMENT PLAN**



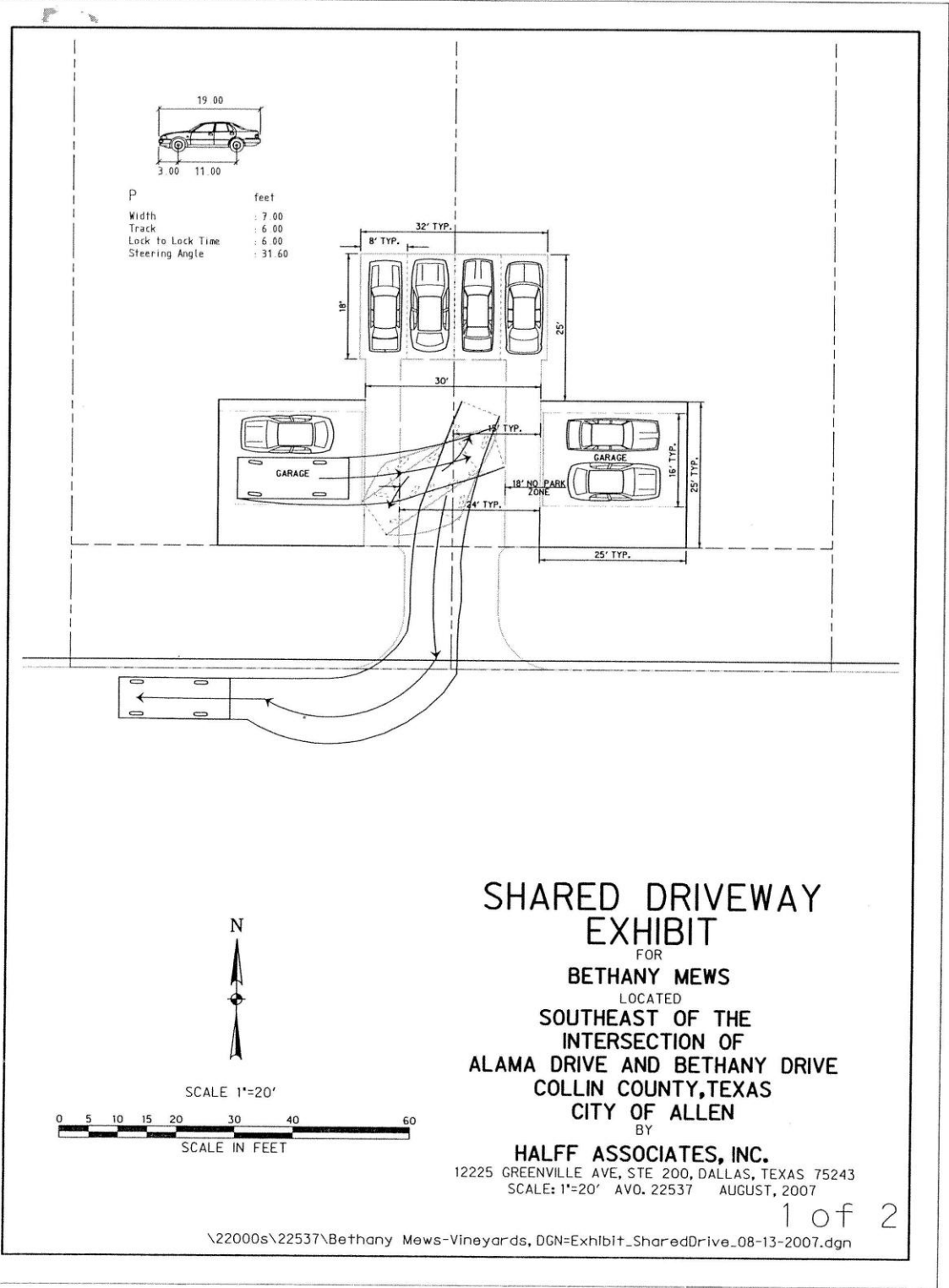
**EXHIBIT “E”**  
**PLANNED DEVELOPMENT DISTRICT “105-C”**  
**BETHANY MEWS**  
**SUBAREA DEVELOPMENT REGULATIONS**

**I. General Standards**

- A. Purpose: Bethany Mews is intended to provide a creative combination of residential uses in three subdistricts and a community center providing office uses for nonprofit entities and community uses. These subdistricts are: 1) the south side of Bethany Mews, consisting of R-7-sized lots; 2) the north and east sides of Bethany Mews, consisting of townhome-sized lots; and 3) the Pecan Grove homes, containing smaller homes nestled within the existing pecan tree grove.
- B. Concept Plan: The property in this Subarea shall be developed in general accordance with the Concept Plan attached as Exhibit “E-1,” to this Ordinance.
- C. Right-of-Way and Streets:
1. Classification: Streets will be private, designated as lots, and located within private access easements (“Private Streets”). Such private access easements shall include pedestrian walkways, landscape strips, utilities (public and private) and off-site parking. The minimum width for Private Streets shall be sixty (60) feet except for the Private Street adjacent to Lots 37 and Lots 43-50, which shall be fifty (50) feet.
  2. Street Widths: The minimum street pavement width for Private Streets shall be twenty-four (24) feet (face to face of curbs, if any) provided that: 1) average daily trip volume on the Private Street does not exceed 1,000 vehicles; 2) on-street parking is prohibited; 3) off-site parking for homes is provided; and 4) the Private Street is designated as Residential.
  3. Street Edges: Curbs are not required on median islands. Modified curbs consisting of stone and concrete or any other material approved by the City Engineer may be allowed throughout the rest of the development.
  4. Street Parking: Street parking shall be prohibited on Private Streets except as otherwise shown on the Concept Plan. Prohibited parking areas shall be appropriately indicated prior to the occupancy of any structure on the Property. Off-street parking shall only be permitted in designated locations.
- D. Setbacks: No encroachment of any kind is allowed into private street/utility easements. Eaves, steps, architectural elements, and other similar features may encroach a maximum of three (3) feet into building line setbacks as long as they do not cross lot lines.
- E. Sidewalks: Pedestrian sidewalks with a minimum width of four (4) feet are required as shown on the Concept Plan. Pedestrian paths or wandering walks shall be provided in other public or open areas.
- F. Driveways: Adjacent houses may combine access drives to serve two or more garages.

The minimum width of these shared driveways shall be sixteen (16) feet. Shared driveways must generally conform to Illustrations F.1 and F.2, below. The maneuvering space identified within the shared driveway shall be designated on the final plat as common area. Parking shall be prohibited within this maneuvering space and such restriction shall be enforceable by the Homeowners Association.

**Illustration F.1**



19.00  
  
 3.00 11.00  
 P  
 Width : 7.00  
 Track : 6.00  
 Lock to Lock Time : 6.00  
 Steering Angle : 31.60

32' TYP.  
 8' TYP.  
 18'  
 25'  
 30'  
 15' TYP.  
 18' NO. PARK ZONE  
 24' TYP.  
 16' TYP.  
 25' TYP.  
 25' TYP.  
 GARAGE  
 GARAGE  
 GARAGE  
 GARAGE

SCALE 1"=20'

0 5 10 15 20 30 40 60  
SCALE IN FEET

SHARED DRIVEWAY  
 EXHIBIT  
 FOR  
 BETHANY MEWS  
 LOCATED  
 SOUTHEAST OF THE  
 INTERSECTION OF  
 ALAMA DRIVE AND BETHANY DRIVE  
 COLLIN COUNTY, TEXAS  
 CITY OF ALLEN  
 BY

HALFF ASSOCIATES, INC.

12225 GREENVILLE AVE, STE 200, DALLAS, TEXAS 75243  
 SCALE: 1"=20' AV0. 22537 AUGUST, 2007

2 of 2

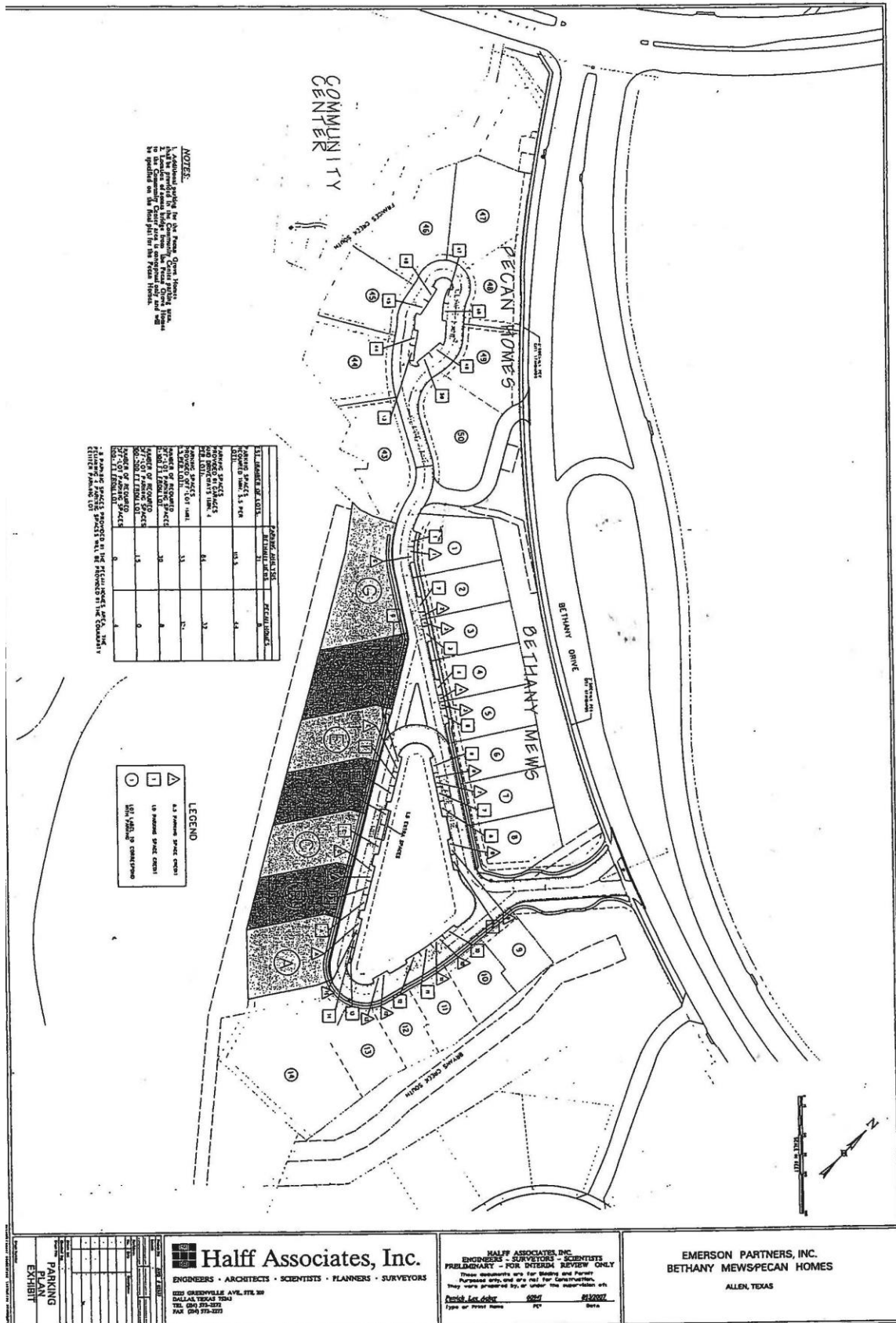
\\22000s\\22537\\Bethany Mews-Vineyards, DGN=Exhibit\_SharedDrive\_08-13-2007.dgn

G. Parking:

1. Off-site Ratio and Proximity: In addition to a minimum of four (4) parking on-site spaces per lot, 1.5 spaces per lot shall be provided in general conformance with the Parking Plan shown in Illustration G.1, below.
2. On-Site Garages: Side entry garages will be located a minimum of twenty-four (24) feet from adjacent side lot lines or parking and access easements will be provided on adjacent lots.



**Illustration G.1**



H. Construction:

1. Street and Sidewalk Materials & Finishes: Concrete with 20% fly ash and other materials approved by the City Engineer may be used for street markings and surfaces for Private Streets and sidewalks.
2. Curbs: Stone and other alternative curb materials, configurations, and installation methods are permitted for Private Streets upon approval of the City Engineer.
3. Porches: All homes, exclusive of the homes within the Pecan Grove subdistrict, shall have a porch within the front of the home.

- I. Homeowners Association: The Homeowners Association created pursuant to the Allen Land Development Code, or other private entity, shall maintain the Private Streets, common areas, storm drainage systems, and common infrastructure except for public water, sewer and drainage utilities and franchise utilities.

II. Subdistricts

- A. Subdistrict 1: Development Regulations for Residential Areas on the South Side of Bethany Mews as shown on the Concept Plan:

1. Base Zoning District: For the areas designated as Residential on the Concept Plan, the base zoning shall be “R-7” Single-Family Residential District as amended and as modified herein.
2. Permitted Uses:
  - Dwelling, Single Family (Detached)
  - Park or Playground
  - Real Estate Sales Office (Temp.)
  - Construction Office (Temp.)
  - Home Occupation
3. Schedule of Height and Area Regulations for “R-7” Single-Family Residential Areas:

Front yard setback	0 feet; a minimum of 20 feet must be provided between a home’s garage door facing a street and the closer of the edge of the sidewalk or the face of curb at driveway entrance
Side yard setback	None*
Rear yard setback	10 feet
Maximum height of building	35 feet
Minimum lot area	5,000 sq. ft.
Minimum lot width	minimum of 3 lots
Minimum lot depth	55 feet for Lot 37; 100 feet for all other areas

Minimum area per residential dwelling unit	2,000 sq. ft.
Maximum lot coverage	85%

\* Subject to the City's Building Code separation requirements

4. Consolidation of Lots: Any structure to be built on Lots 15-36 on the south side of Bethany Mews must be constructed on at least three (3) contiguous lots. Prior to construction, the contiguous lots upon which a structure is to be built must be replatted into one (1) lot. Said replat shall be approved by the Director of Planning and Development as a minor plat within thirty (30) days of submittal of an application for replatting. Appeal of the decision of the Director of Planning and Development on a replat shall be in accordance with the Allen Land Development Code.

B. Subdistrict 2: Development Regulations for the North and East Sides of Bethany Mews

1. Base Zoning District: For the areas designated as Residential on the Concept Plan, the base zoning shall be "R-5" Single-Family Residential District as amended and as modified herein.
2. Permitted Uses:
  - Dwelling, Single Family (Detached)
  - Park or Playground
  - Home Occupation
  - Construction Office (Temp.)
  - Real Estate Sales Office (Temp.)
3. Schedule of Height and Area Regulations for "R-5" Townhome Residential Areas:

Front yard setback	0 feet; a minimum of 20 feet must be provided between a home's garage door facing a street and the closer of the edge of sidewalk or the face of curb at driveway entrance
Side yard setback	None*
Rear yard setback	0 feet*
Maximum height of building	35 feet
Minimum lot area	2,000 sq. ft.
Minimum lot width	55 feet
Minimum lot depth	100 feet
Minimum area per residential dwelling unit	2,000 sq. ft.
Maximum lot coverage	95%

\* Subject to the City's Building Code separation requirements

4. No lots shall have direct access to Bethany Drive.

C. Subdistrict 3: Development Regulations for the Pecan Grove Homes:

1. Base Zoning District: For the areas designated as Residential on the Concept Plan, the base zoning shall be “R-7” Single-Family Residential District as amended and as modified herein. Either individual lots or a single lot with condominium style ownership may be permitted, limited to a maximum of eight (8) detached units.
2. Permitted Uses:
  - Dwelling, Single Family (Detached)
  - Dwelling, Condominium (Detached)
  - Park or Playground
  - Home Occupation
  - Real Estate Sales Office (Temp.)
3. Schedule of Height and Area Regulations for Residential Areas:

Front Yard Setback	5 feet; a minimum of 20 feet must be provided between a home’s garage door facing a street and the closer of the edge of sidewalk or the face of curb at driveway entrance.
Side Yard Setback	None*
Rear Yard Setback	None*
Maximum height of building	35 feet
Minimum lot area	2,000 sq. ft.
Minimum lot width	None
Minimum lot depth	None
Minimum area per residential dwelling unit	2,000 sq. ft.
Maximum lot coverage	None

\* Subject to the City’s Building Code separation requirements

4. Concept Plan: The property shall be developed in general accordance with the Concept Plan attached as Exhibit “E-1.”
5. Special Development Regulations for the Pecan Grove Homes:
  - a. Within the Pecan Grove subdistrict, homes must provide at least two (2) parking spaces within a garage and one (1) additional space in the driveway.
  - b. At least 2.5 parking spaces per unit for guest parking shall be provided within the Pecan Grove Home subdistrict or within the Community Center (Subdistrict 4).
  - c. There shall be no minimum masonry exterior requirement.
  - d. Sidewalks shall not be required for the Pecan Grove subdistrict.

D. Subdistrict 4: Development Regulations for Community Center Area:

1. Base Zoning District: For the areas designated as Community Center on the enclosed Concept Plan, the base zoning shall be “CF” Community Facilities District as amended and as modified herein.

2. Permitted Uses:

- Office Use
- Community Center (and other uses providing community services)
- Fraternal Org., Lodge, Civic Clubs
- Museum, Library, Art Gallery (Public or Private)
- Park or Playground
- Restaurant (no drive-in or through) as an Accessory Use
- Retail Store as an Accessory Use
- Theater (limited to no more than 200 seats)
- Winery/vineyard
- Agriculture Use

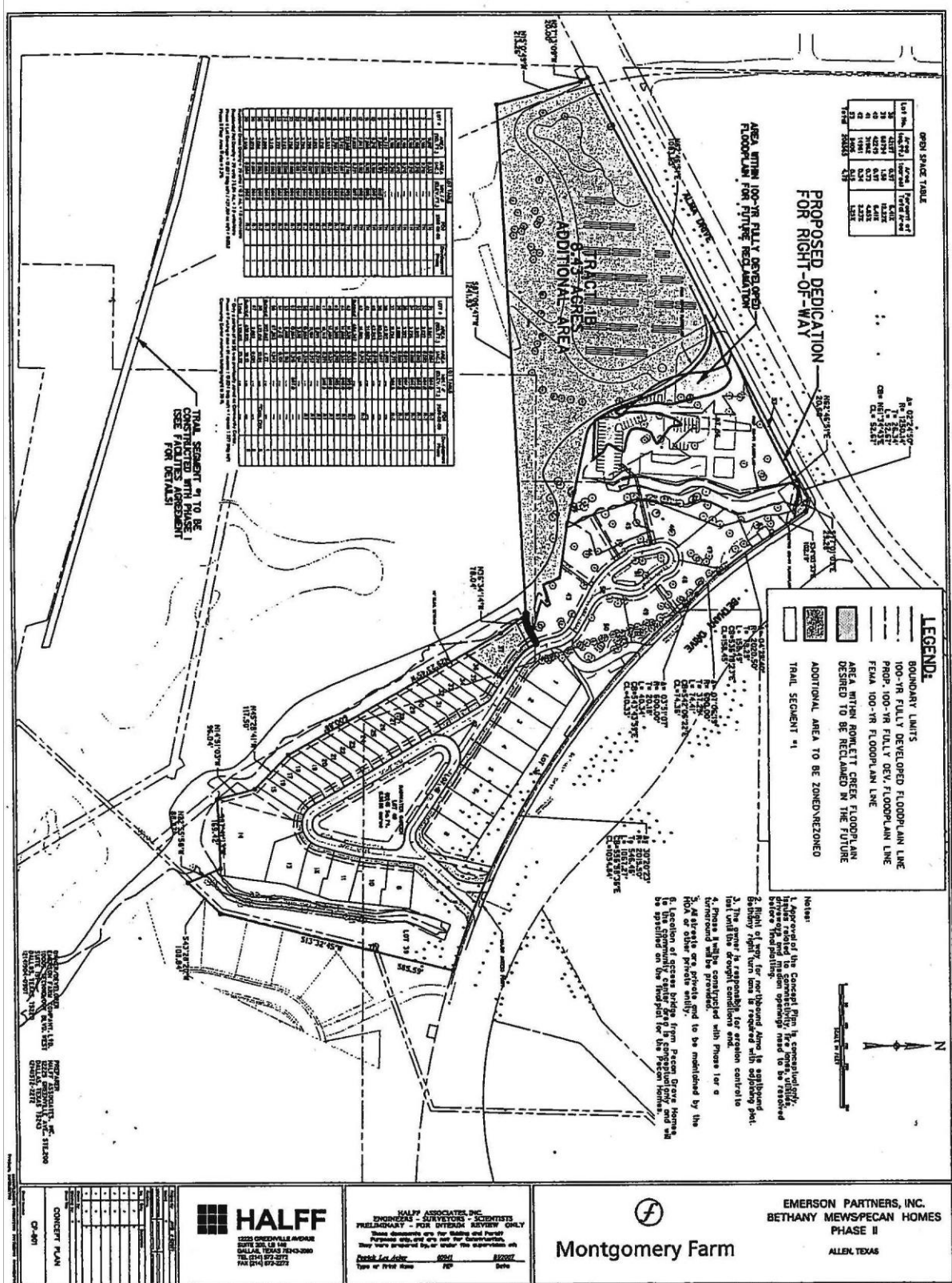
3. Schedule of Height and Area Regulations for Residential Areas:

Front yard setback	10 feet
Side yard setback	None*
Rear yard setback	0 feet*
Maximum height of building	35 feet
Minimum lot area	2,000 sq. ft.
Minimum lot width	25 feet
Minimum lot depth	100 feet
Maximum lot coverage	95%

\* Subject to the City’s Building Code separation requirements



# EXHIBIT "E-1" BETHANY MEWS CONCEPT PLAN



**EXHIBIT “F”**  
**CONNEMARA CROSSING**  
**PLANNED DEVELOPMENT DISTRICT “105-D”**  
**SUBAREA DEVELOPMENT REGULATIONS**

**I. General Standards**

- A. Purpose: Connemara Crossing is intended to provide a distinctive residential community consisting of creative townhomes and detached single family homes surrounding a neighborhood retail center. The proposed zoning shall permit the flexibility of vertical mixed uses at the corner of Bethany Drive and Alma Drive at locations where the topography permits retail on the first floor at the same grade as other retail in the center and townhomes on the second floor at the same grade as other townhomes.
- B. Concept Plan: The property shall be developed in general accordance with the Concept Plan attached as Exhibit “F-1,” to this Ordinance.
- C. Right of Way and Streets:
1. Classification: Streets will be private, designated as lots, and located within private access easements (“Private Streets”). Such private access easements shall include pedestrian walkways, landscape strips, utilities (public and private) and off-site parking. The minimum width for Private Streets shall be sixty 60 feet.
  2. Street Widths: The minimum street pavement width for Private Streets shall be twenty-four (24) feet (face to face of curbs, if any) provided that: 1) average daily trip volume on the Private Street does not exceed 1,000 vehicles; 2) on-street parking is prohibited; 3) off-site parking for homes is provided; and 4) the Private Street is designated as residential.
  3. Street Edges: Curbs are not required on median islands. Modified curbs consisting of stone and concrete or any other material approved by the City Engineer may be provided throughout the rest of the development.
  4. Street Parking: Street parking shall be prohibited on Private Streets except as otherwise shown on the Concept Plan. Prohibited parking areas shall be appropriately indicated prior to the occupancy of any structure on the Property. Off- street parking shall only be permitted in designated locations.
- D. Setbacks: Except as otherwise provided herein, no encroachment of any kind is allowed into the Private Street. Eaves, steps, architectural elements, and other similar features may encroach a maximum of three (3) feet into the Private Street, provided such encroachment is twenty (20) feet above grade. Eaves, steps, architectural elements, and other similar features may encroach a maximum of three (3) feet into building line setbacks as long as they do not cross lot lines.
- E. Sidewalks: Pedestrian sidewalks with a minimum width of four (4) feet will be provided on both sides of all streets.
- F. Parking:



G. Construction:

1. Street and Sidewalk Materials & Finishes: Concrete with 20% fly ash and other materials approved by the City Engineer may be used for street markings and surfaces for Private Streets and sidewalks.
2. Curbs: Stone and other alternative curb materials, configurations, and installation methods are permitted for Private Streets upon approval of the City Engineer.

H. Homeowners Association: The Homeowners Association created pursuant to the Allen Land Development Code, or other private entity, shall maintain the Private Streets, storm drainage systems, common areas, and common infrastructure except for public water, sewer and drainage utilities and franchise utilities.

I. Fencing: An eight (8) foot barrier fence will be constructed on the east side of Subdistrict B and the north side of Subdistrict A while maintaining the existing tree line, as approved by the Planning and Zoning Commission at the time of plat approval.

**II. Subdistrict A – “R-5” Single-Family Residential District**

Development Regulations for Subdistrict A, Single-family Residential Area.

A. Base Zoning District: For Subdistrict A as defined on the Concept Plan, the base zoning shall be “R-5” Single-Family Residential District, as amended and as modified herein.

B. Uses: Except as otherwise permitted herein, the only uses permitted in Subdistrict A shall be the following uses:

Dwelling, Single Family (Detached)  
Park or Playground  
Private Streets  
Real Estate Sales Office (Temp.)  
Construction Office (Temp.)

C. Schedule of Height and Area Regulations for Subdistrict A:

Front yard setback	0 feet from the Private Street/a minimum of 20 feet must be provided between the street-facing garage door of a home and the closer of the edge of the sidewalk or face of curb at driveway entrance.
Side yard setback	None *
Rear yard setback	10 feet
Maximum height of building	35 feet
Minimum lot area	5,000 sq. ft.
Minimum lot width	50 feet
Minimum lot depth	90 feet
Minimum area per residential dwelling unit	2,500 sq. ft.
Maximum lot coverage	85%

Maximum floor area ratio	NA
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\*Subject to the City's Building Code separation requirement

### III. **Subdistrict B – “TH” Townhome Residential District**

Development Standards for Subdistrict B, Townhome Residential Area.

A. **Base Zoning District:** For Subdistrict B as defined on the Concept Plan, the base zoning shall be “TH” Townhome Residential District, as amended and as modified herein.

B. **Uses:**

1. Except as otherwise permitted herein, the only uses permitted in Subdistrict B shall be the following uses:

Dwelling, Single Family (Attached)  
Park or Playground  
Private Streets  
Real Estate Sales Office (Temp.)  
Construction Office (Temp.)

2. Uses permitted in both Subdistrict A and Subdistrict B shall be permitted in the central area of the site as set forth on the Concept Plan. This is intended to allow for a maximum of 10 townhomes to be built above retail uses.

C. **Schedule of Height and Area Regulations for Subdistrict B:**

Front yard setback	0 feet from the Private Street; 5.5 feet for garage doors
Side yard setback	None*
Rear yard setback	10 feet (No rear yard setback required for residential uses above retail uses)
Maximum height of building	35 feet; 55 feet for mixed use buildings provided the tallest point of the mixed use structure does not exceed the tallest point of any of the existing residential units in the Watters Crossing Subdivision contiguous to the east of Connemara Crossing
Minimum lot area	2,200 sq. ft.
Minimum lot width	25 feet
Minimum lot depth	90 feet
Minimum area per residential dwelling unit	2,000 sq. ft.
Maximum lot coverage	75%
Maximum floor area ratio	None

\*Subject to the City's Building Code separation requirement

D. **Supplemental Use Regulations:**

1. Definition: For purposes of this Planned Development District 105-D, the term “townhome” means a single-family residence joined to another dwelling on one



or more sides by a party wall with two (2) or more units with each unit located on an individual lot.

2. No more than ten (10) dwelling units shall be attached in one continuous row or group.
3. No dwelling unit shall be constructed above another dwelling unit. As shown on the Concept Plan, residential units may be constructed above first floor retail spaces in the location depicted on the Concept Plan.
4. There shall be a side yard on each side of a contiguous row or group of dwellings of not less than six (6) feet.
5. Building elevations shall be submitted to the City Council for review and approval prior to the issuance of the first building permits for any Townhome.

#### **IV. Subdistrict C – “LR” Local Retail District**

Development Regulations for Subdistrict C, Retail Area.

- A. Base Zoning District: For Subdistrict C as defined on the Concept Plan, the base zoning shall be “LR” Local Retail District, as amended and as modified herein.
- B. Uses:

The only uses permitted in Subdistrict C shall be the following uses:

Antique Shop  
Bakery or Confectionary  
Banks and Financial Institutions  
Beer & Wine Package Sales  
Bicycle Shop/Repair Service  
Book, Card or Novelty Shops  
Clinic, Medical  
Concrete Batch Plant (Temp.)  
Construction Office (Temp.)  
Convenience Store  
Day Care Facility  
Drug Store or Pharmacy, not to exceed 2,000 sq. ft.  
Fabrics or Needlework Shop  
Florist  
Hardware Store, not to exceed 2,000 sq. ft.  
Laundry/Dry Cleaning, Pick Up Only  
Museum, Library, Art Gallery (Public or Private)  
Nursery, Retail Plant  
Office Use  
Park or Playground  
Real Estate Sales Office (Temp.)  
Restaurant (No drive-in or through)  
Retail Store  
Veterinary Clinic

C. Schedule of Height and Area Regulations for Subdistrict C:

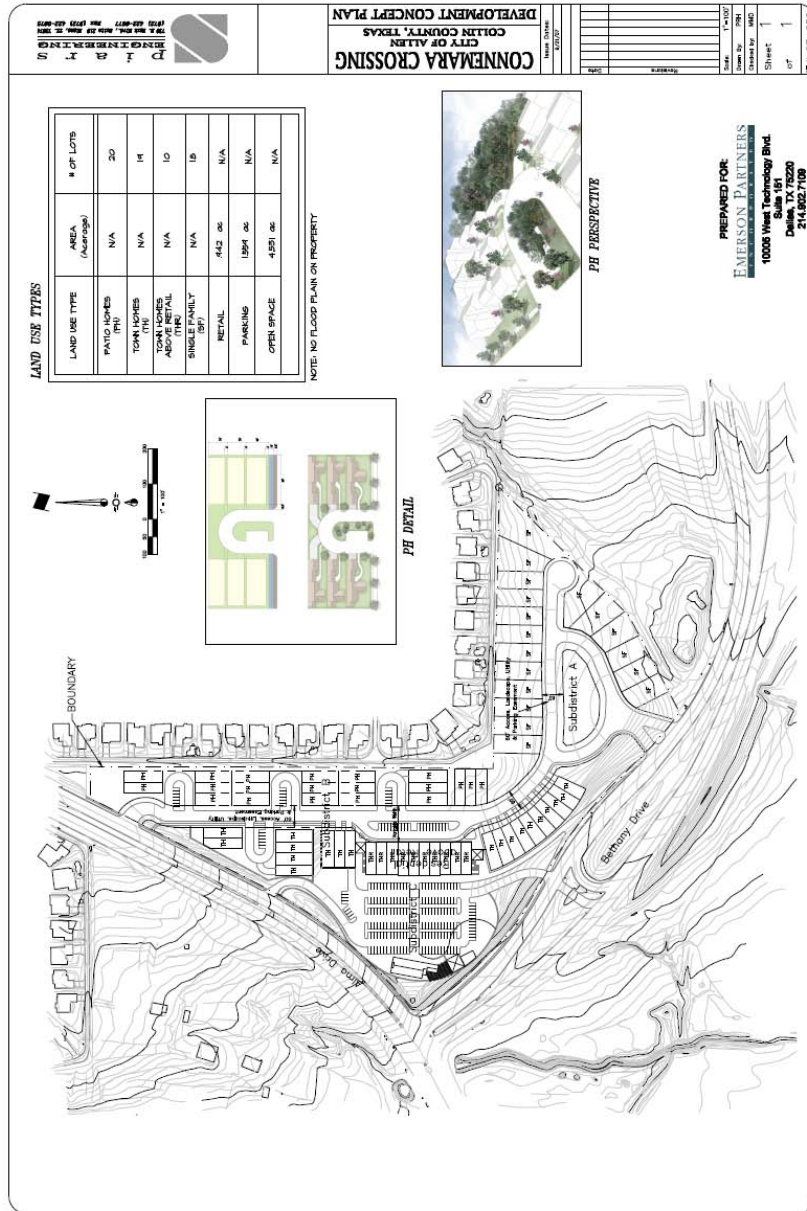
1. Retail and mixed use structures shall comply with the following Height and Area Regulations:

Front yard setback	10 feet*
Side yard setback	None*
Rear yard setback	None*
Maximum height of building	35 feet/55 feet if residential on second floor provided the tallest point of the mixed use structure does not exceed the tallest point of any of the existing residential units in the Watters Crossing Subdivision contiguous to the eastern boundary of Connemara Crossing
Minimum lot area	None
Minimum lot width	None
Minimum lot depth	None
Maximum lot coverage	85%
Maximum floor area ratio	0.30:1

\*Subject to the City's Building Code separation requirement

2. Structures with residential uses only shall comply with the Height and Area Regulations set forth for Subdistrict B in Section D above.

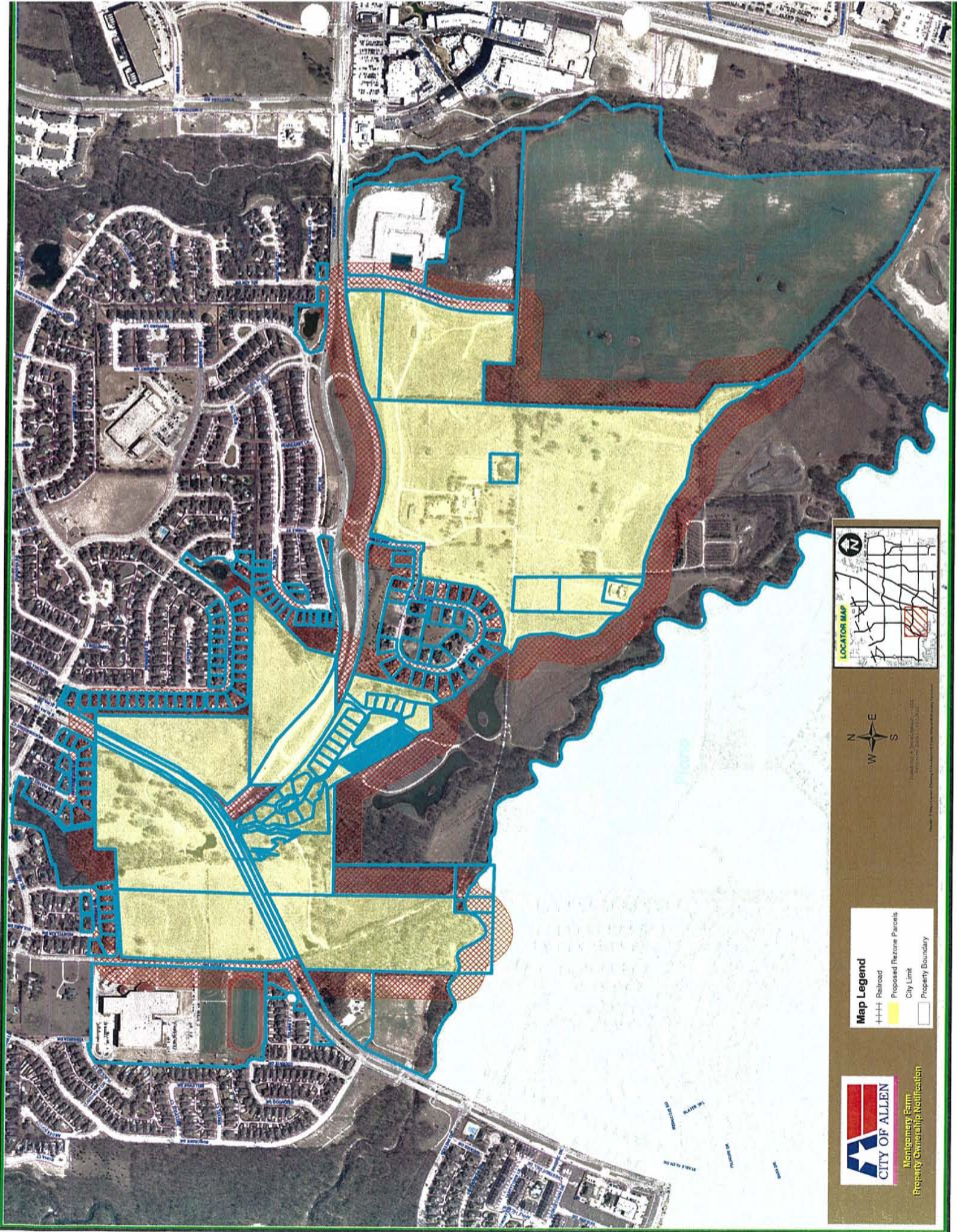
# **EXHIBIT "F-1"** **CONNEMARA CROSSING CONCEPT PLAN**



**EXHIBIT “G”**  
**PLANNED DEVELOPMENT DISTRICT “105-E”**  
**MONTGOMERY FARM ESTATES**  
**SUBAREA DEVELOPMENT REGULATIONS**

Base Zoning District: Development shall comply with the “A-O”, Agriculture/ Open Space District regulations.





**Map Legend**

++++	Railroad
Yellow	Proposed Restore Parcels
Red line	City Limit
Blue line	Property Boundary



**Montegut Farm**  
Property Ownership Notification