

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, RELATING TO THE USE AND DEVELOPMENT OF A 10.839± ACRE TRACT OF LAND IN THE JAMES T. ROBERTS SURVEY, ABSTRACT NO. 777 AND THE HENRY WETSEL SURVEY, ABSTRACT NO. 1026, PRESENTLY ZONED AS “SC” SHOPPING CENTER BY CHANGING THE ZONING TO CREATE “PD” PLANNED DEVELOPMENT NO. 126 WITH A BASE ZONING OF “TH” TOWNHOME RESIDENTIAL DISTRICT AND ADOPTING DEVELOPMENT REGULATIONS, A CONCEPT PLAN, HARDSCAPE PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:**

**SECTION 1.** The Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, as previously amended, be further amended relating to the use and development regulations of a 10.839± acre tract of land in the James T. Roberts Survey, Abstract No. 777 and the Henry Wetsel Survey, Abstract No. 1026 (“the Property”) described in “Exhibit A,” attached hereto and incorporated herein by reference, which is presently zoned as “SC” Shopping Center by changing the zoning to create “PD” Planned Development No. 126 with a base zoning of “TH” Townhome Residential District to be used and developed in accordance with the use and development regulations set forth in Section 2 of this Ordinance.

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

- A. BASE ZONING DISTRICT:** The Property shall be developed and used only in accordance with the “TH” Townhome Residential District standards of the ALDC, except as otherwise provided in this Ordinance.
- B. CONCEPT PLAN:** The Property shall be developed in substantial conformance with the Concept Plan attached hereto as Exhibit “B” and incorporated herein by reference. Minor modifications to streets that do not alter the general alignment shown on the Concept Plan may be made at the time of platting.
- C. LOT DESIGN CRITERIA:** The lot design criteria for the Property shall be as follows:

- (1) Lot Width: The minimum lot width shall be 25’.
- (2) Lot Area: The minimum lot area shall be 2,250 square feet.
- (3) Dwelling Unit Size: The minimum dwelling unit size shall be 1,300 square feet of air conditioned space.

**D. GARAGE SETBACK:** Not less than twenty (20) feet (to face of the structure).

**E. BUILDING ELEVATIONS:**

- (1) The residential units constructed on the Property shall be developed in general conformance with the materials (both in style and mix) and architectural style set forth in the Building Elevations attached hereto as Exhibit “C,” and incorporated herein by reference.
- (2) Each of the three elevation types shall be used on at least four (out of the 18) buildings in the development.
- (3) Garage doors shall be metal, patterned with a wood-like texture.
- (4) The driveways shall be treated with a decorative concrete aggregate, with one of the following finishes:
  1. Exposed Aggregate
  2. Stained Concrete
  3. Salt Finished Concrete
- (5) Any windows on a second floor of the side elevations of Lots 8-9, and the rear elevation of Lots 24 through 29, Block A, must be opaque glass/privacy window.

**F. BUILDING HEIGHT:** The maximum building height shall be thirty-nine (39) feet.

**G. SCREENING:** Screening on the Property shall be developed in general conformance with the Hardscape Plan attached hereto as Exhibit “D,” and incorporated herein by reference. No building permit shall be issued until the fence permit has been issued and construction of the screening wall has commenced. No final building inspections shall be conducted for any building constructed on the Property until the Director of Community Development or designee has determined that construction and installation of all required screening has been completed and conforms to the Hardscape Plan and other applicable city ordinances.

**H. NO PARKING:** No on-street parking is allowed on the Property except where designated head-in parking is provided or anywhere that on-street parking is otherwise authorized by the Fire Marshal. Areas where on-street parking is prohibited must be marked by curb striping indicating “No Parking.”

**I. TREE PLANTING:** No fewer than two (2) shade trees (as defined in Appendix C of the ALDC) with a trunk diameter of not less than three (3) caliper inches at time of planting, shall be planted for each dwelling unit within the Property for which a building permit has been issued. At least one of the required shade trees must be planted on each lot, with the remaining required shade tree to be planted either on the lot with the dwelling unit or within the open space areas of the Property. The Director of Community Development shall have the authority to withhold final inspections of buildings constructed on the Property if it is determined that the required number of shade trees has not been planted as of

the date of the suspension. Such suspension shall be lifted upon determination by the Director of Community Development that the required by number of shade trees has been planted.

**SECTION 3.** To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

**SECTION 4.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

**SECTION 5.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 6.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 7.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 24<sup>TH</sup> DAY OF JANUARY 2017.**

**APPROVED:**

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**Stephen Terrell, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

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**Peter G. Smith, CITY ATTORNEY**

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

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

**BEING** a tract of land situated in the James T. Roberts Survey, Abstract No. 777 and the Henry Wetsel Survey, Abstract No. 1026, in the City of Allen, Collin County, Texas, and being part of a called 15.918-acre tract of land described in deed to H3H, LLC, recorded in Instrument Number 20110309000257440, of the Official Public Records, Collin County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 5/8-inch iron rod found on the easterly right-of-way line of Greenville Avenue (State Highway No. 5), a 100' right-of-way for the southwest corner of said 15.918-acre tract and being the beginning of a non-tangent curve to the right having a central angle of 03°23'06", a radius of 5037.99 feet, a chord bearing and distance of North 24°10'44" East, 297.59 feet;

**THENCE** in a northeasterly direction, with said curve to the right, along the easterly right-of-way line of said Greenville Avenue, and along the westerly line of said called 15.918-acre tract, an arc distance of 297.63 feet to a point for corner;

**THENCE** departing the easterly right-of-way line of said Greenville Avenue and crossing said called 15.918-acre tract, the following courses:

South 64°24'47" East, a distance of 257.73 feet to a point for corner;

North 30°20'27" East, along the southeasterly line of Lot 6, Block A, Allen Center North Addition, an addition to the City of Allen according to the plat thereof recorded in Volume 2016, Page 358 of the Plat Records of Collin County, Texas, a distance of 416.40 feet to a point at the beginning of a tangent curve to the right having a central angle of 12°10'37", a radius of 98.00 feet, a chord bearing and distance of North 36°25'46" East, 20.79 feet;

In a northeasterly direction, with said curve to the right, continuing along the southeasterly line of said Lot 6, an arc distance of 20.83 feet to a point at the beginning of a reverse curve to the left having a central angle of 12°10'37", a radius of 102.00 feet, a chord bearing and distance of North 36°25'46" East, 21.64 feet;

In a northeasterly direction, with said curve to the left, continuing along the easterly line of said Lot 6, an arc distance of 21.68 feet to a point for corner;

North 30°20'27" East, continuing along the southeasterly line of said Lot 6 and along the southeasterly line of Lot 1, Block A, Allen Center North Addition an addition to the City of Allen according to the plat thereof record in Cabinet 2009, Page 389 of the Plat Records of Collin County, Texas, a distance of 58.29 feet to a point for corner;

South 89°43'32" East, departing the southeasterly line of said Lot 1, a distance of 498.82 feet to a point for corner on the easterly line of said called 15.918-acre tract, same being the westerly line of Stacy Road Pump Station, an addition to the City of Allen according to the plat thereof recorded in Cabinet G, Page 91 of said Plat Records;

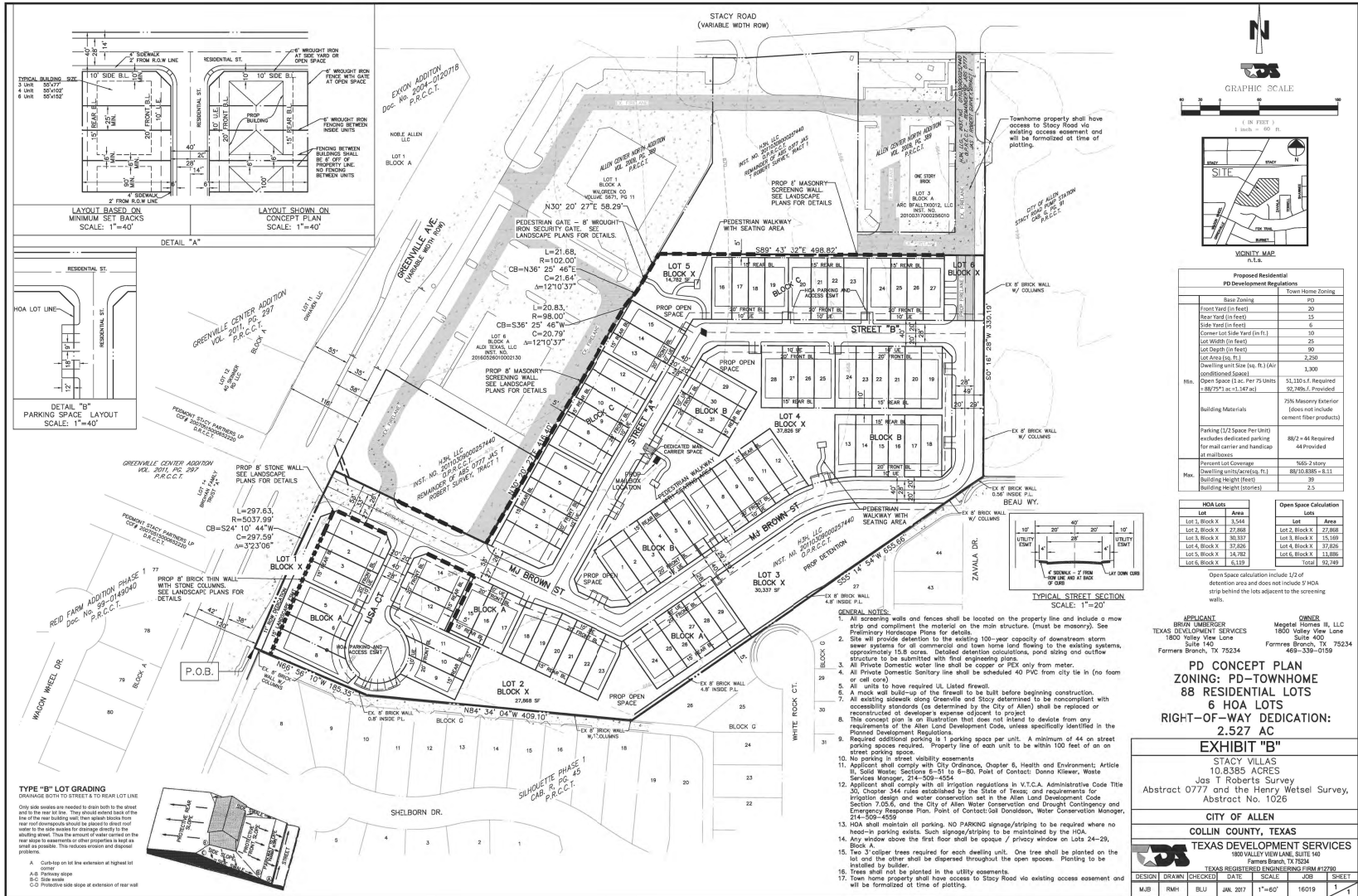
**THENCE** South 00°16'28" West, along the easterly line of said called 15.918 acre tract and along the westerly line of said Stacey Road Pump Station, a distance of 339.19 feet to a point for corner at the southwest corner of said Stacey Road Pump Station, being the southerly line of said called 15.918 acre tract, same being on the northerly line of Silhouette, Phase 1, an addition to the City of Allen according to the plat thereof record in Cabinet R, Page 45, Map Records of Collin County, Texas;

**THENCE** along the southerly line of said called 15.918-acre tract and along the northerly line of said Silhouette, the following:

South 55°14'54" West, a distance of 655.66 feet to a point for corner;

North 84°34'04" West, a distance of 409.10 feet to a point for corner;

North 66°56'10" West, a distance of 185.35 feet to the **POINT OF BEGINNING** and containing 10.839 acres (472,129 sq. ft.) of land, more or less.





## ELEVATION A

THIS RENDERING IS CONCEPTUAL ONLY AND SUBJECT TO CHANGE



SHELDON

MACKENZIE

HOLBROOK

MACKENZIE

SHELDON

## EXHIBIT "C" BUILDING ELEVATIONS





## ELEVATION B

THIS RENDERING IS CONCEPTUAL ONLY AND SUBJECT TO CHANGE



**EXHIBIT "C"**  
**BUILDING ELEVATIONS cont.**





### ELEVATION C

THIS RENDERING IS CONCEPTUAL ONLY AND SUBJECT TO CHANGE



SHELDON

MACKENZIE

HOLBROOK

MACKENZIE

SHELDON

**EXHIBIT "C"**  
**BUILDING ELEVATIONS cont.**



## SIDE VIEWS

THIS RENDERING IS CONCEPTUAL ONLY AND SUBJECT TO CHANGE



SHELDON - LEFT END



SHELDON - RIGHT END

EXHIBIT "C"  
BUILDING ELEVATIONS cont.





REAR VIEW

THIS RENDERING IS CONCEPTUAL ONLY AND SUBJECT TO CHANGE



SHELDON

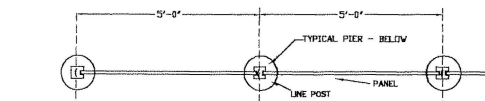
MACKENZIE

HOLBROOK

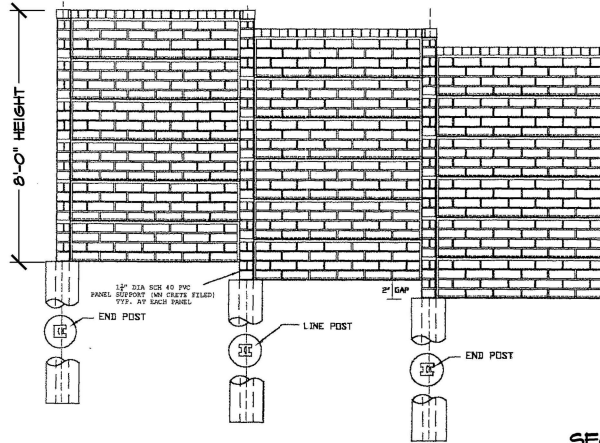
MACKENZIE

SHELDON

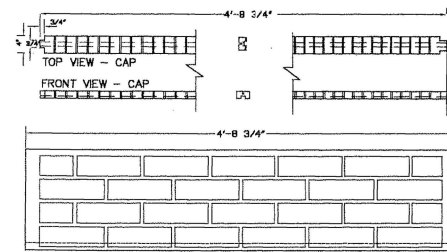




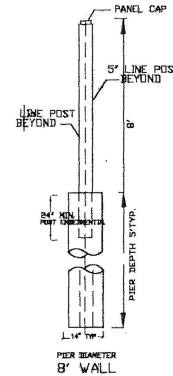
PLAN - 8' HEIGHT SCREEN WALL



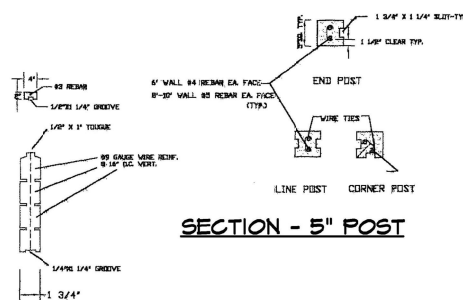
ELEVATION - 8' HEIGHT SCREEN WALL



DETAILS - BRICKCRETE WALL PANEL & CAP



SECTION - 8' SCREENWALL POST



SECTION - 5" POST

**SPECIFICATIONS AND NOTES**

**GENERAL:**

1. This project has been designed in accordance with the Uniform Building Code, 1997 Edition.

**Applied loads:**

- a. Wind Velocity  $V$  ..... 100mph
- b. Exposure  $C_e$  ..... 0.60
- c. Pressure Coefficient  $C_p$  ..... 1.40
- d. Pressure  $Q$  ..... 19.8
- e. Importance Factor  $I_w$  ..... 1.0
- f. Wind pressure  $P = 0.62(1.40)19.8 = 17.19$  psf
- g. Modeling Design Stress  $WMS$  ..... 135 %
- h. Seismic Design ..... Zone 0

2. Product to be manufactured by PremierCrete Products, LLC.  
**MPCR Certified Plant:**  
 Address: 9534 Industrial Rd Justin, Texas 76247  
 Phone: 972-645-6658

3. Screening wall is to be constructed entirely on the project property.

**Color:**

- a. Post and panels shall be integrally colored.
- b. Color shall be selected by owner.

**Concrete:**

**Concrete Materials:**

- a. Concrete shall be normal weight concrete having sand and gravel or crushed stone aggregates. Mixed with ASTM-C150, type I or II portland cement to meet the minimum compressive strength as follows:
  - 1. Panels & posts: 3000 psi at 28 days.
  - 2. Footings & piers: 3000 psi at 28 days.
- b. Water used for concrete shall be clean water and free from injurious amounts of oils, acids, alkalis, organic or other deleterious substances.
- c. All concrete permanently exposed to the weather shall contain an air-entraining admixture resulting in 3 to 6 percent entrained air or recommended by the manufacturer.

**Concrete Workmanship:**

- a. Fresh poured concrete shall be tamped into place steel rammer, slicing tools or mechanical vibrator, until concrete is thoroughly compact and without void.
- b. Excavation for footing shall be on undisturbed soil or to the depth noted on the drawings. Leave the bottom bearing surface clean and smooth. If footing excavations are made deeper than intended, only concrete shall be used for fill. Remove all loose material from excavations prior to concrete pour.

**Reinforcement:**

**Reinforcing materials:**

- a. Deformed type bars shall conform to ASTM-A 615. Grade 60 placed as shown on the drawings.
- b. Steel reinforcing wire shall meet U.S. Steel Wire gauge, ASTM-A 65. 7 x 70,000 psi min galvanized.
- c. All ties and stirrups shall conform to the requirements of ASTM-A 615, grade 40.
- d. All wire mesh shall be 9 gauge galvanized having 3 horizontal bars and 4 vertical on 16 inch centers.

**Reinforcing Workmanship:**

- a. Reinforcement steel shall be fabricated in accordance with the CSI Standard Detail. Reinforcing bars shall be cold-bent only. Use of heat to bend reinforcement steel shall be cause for rejection.
- b. Reinforcement steel bars and wire fabric shall be thoroughly cleaned before placing and again before the concrete is placed. Shall be accurately positioned and secured in place. No brick or porous materials may be used to support the steel off the ground.
- c. Install all reinforcement with the following clearances between reinforcing steel and face of concrete:
  - 1. Footing, pier or beam bottom (3")
  - 2. Earth-formed pier or beam side (2")
  - 3. Formed footing, pier or beam sides, exposed (1")
  - 4. Precast exposed to weather: panels (3/4"), posts (1 1/4")
- d. Splices within continuous unscheduled reinforcing steel shall have a minimum lap of 36 bar diameters.

**Notes:**

- 1. Footing size is based on the following minimum soil properties:
  - a. soil compaction ..... 90 % std. proctor
  - b. bearing capacity ..... 1,500 psf
  - c. frictional resistance ..... 250 psf
  - d. lateral bearing ..... 100 psf/ft of depth.

STACY VILLAS Allen, Texas  
 8'-0" HT. BRICKCRETE SCREENING WALL

**EXHIBIT "D"**  
**HARDSCAPE PLAN cont.**

Bar is one inch on original drawing. If not one inch on this sheet, adjust scale as necessary.

One Inch

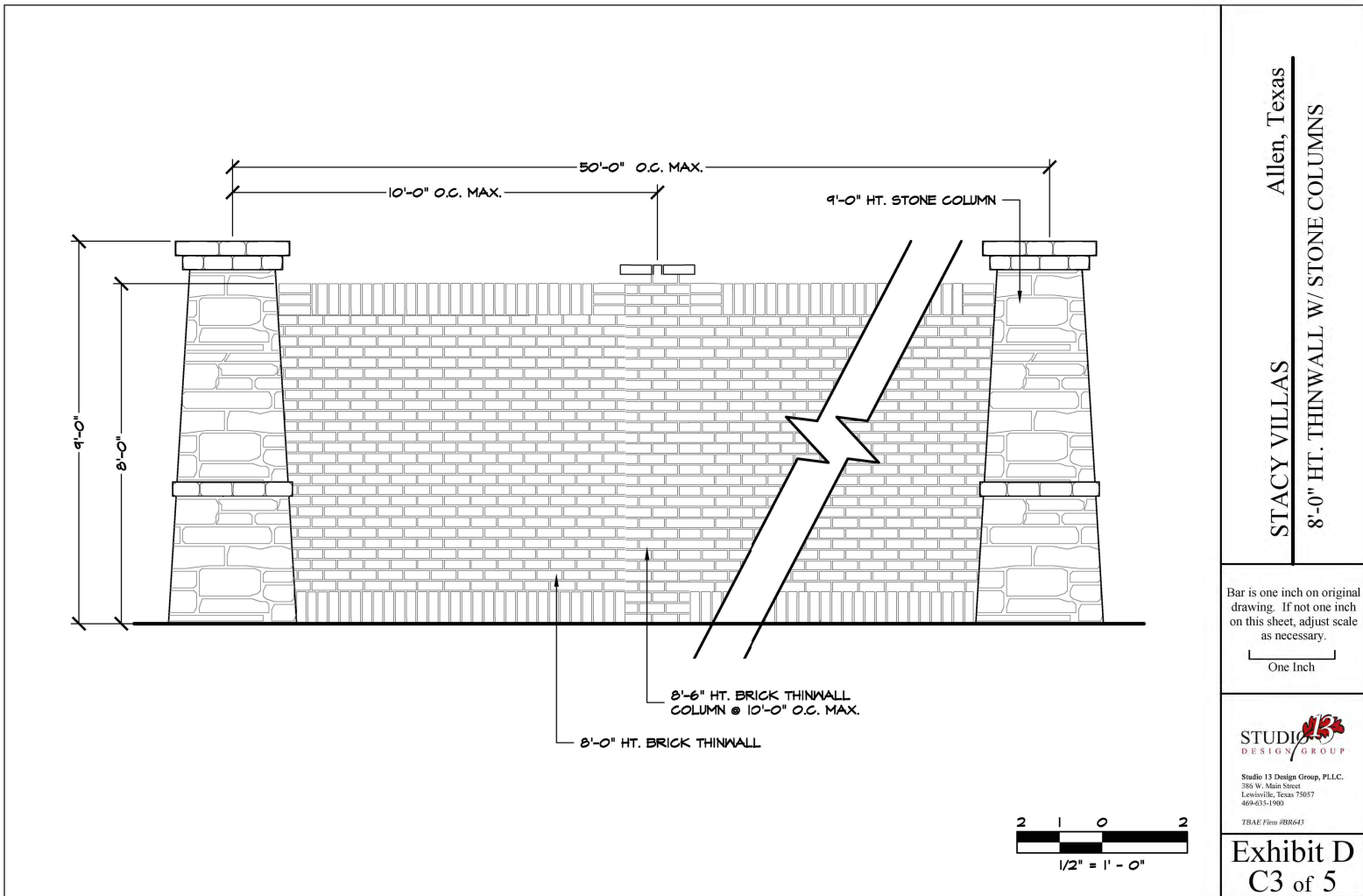


Studio 13 Design Group, PLLC.  
 386 W. Main Street  
 Lewisville, Texas 75057  
 469-635-1900

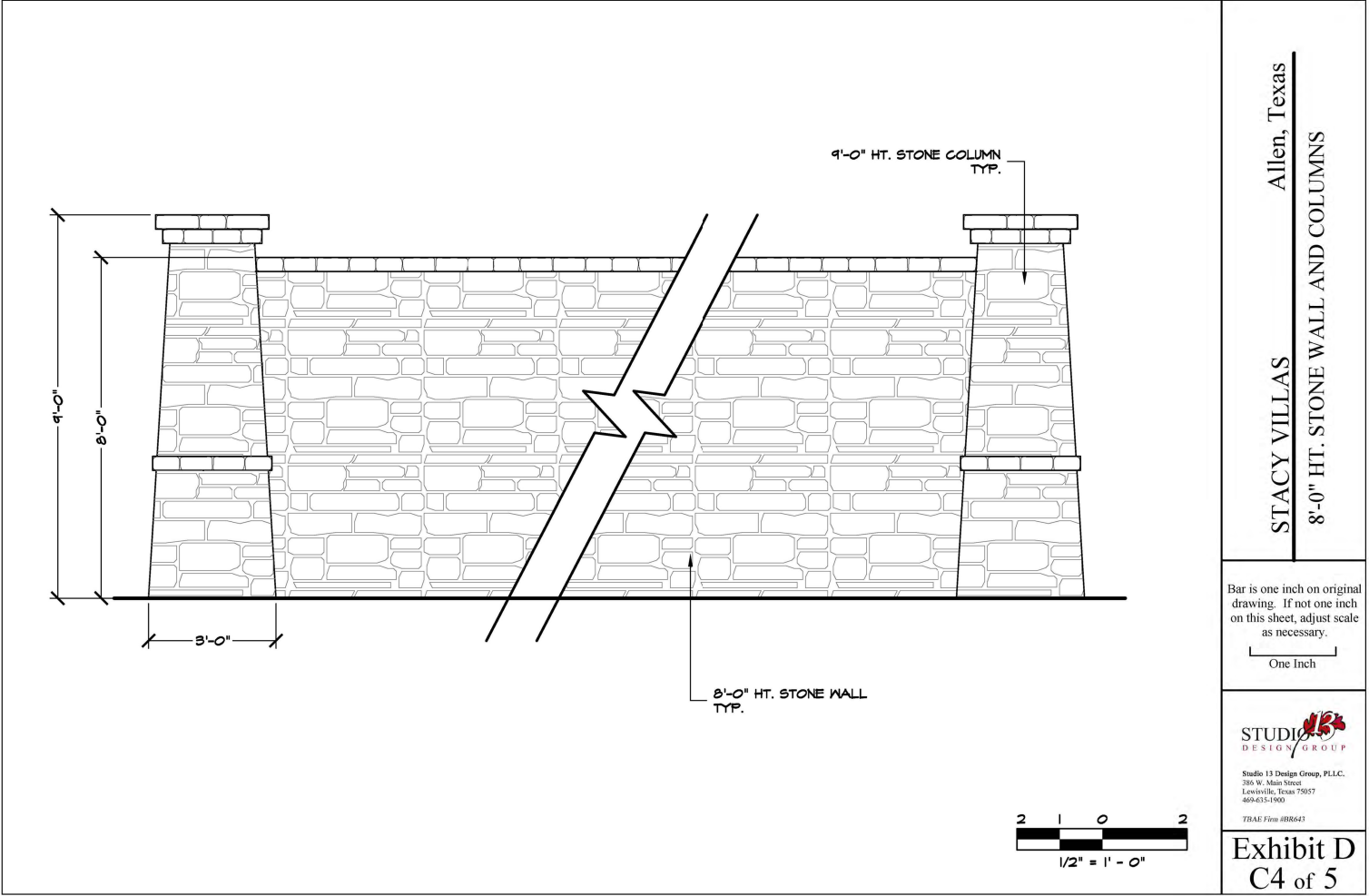
TRAF Firm #R8643

**Exhibit D**  
**C2 of 5**





**EXHIBIT "D"**  
**HARDSCAPE PLAN cont.**



**EXHIBIT "D"**  
**HARDSCAPE PLAN cont.**



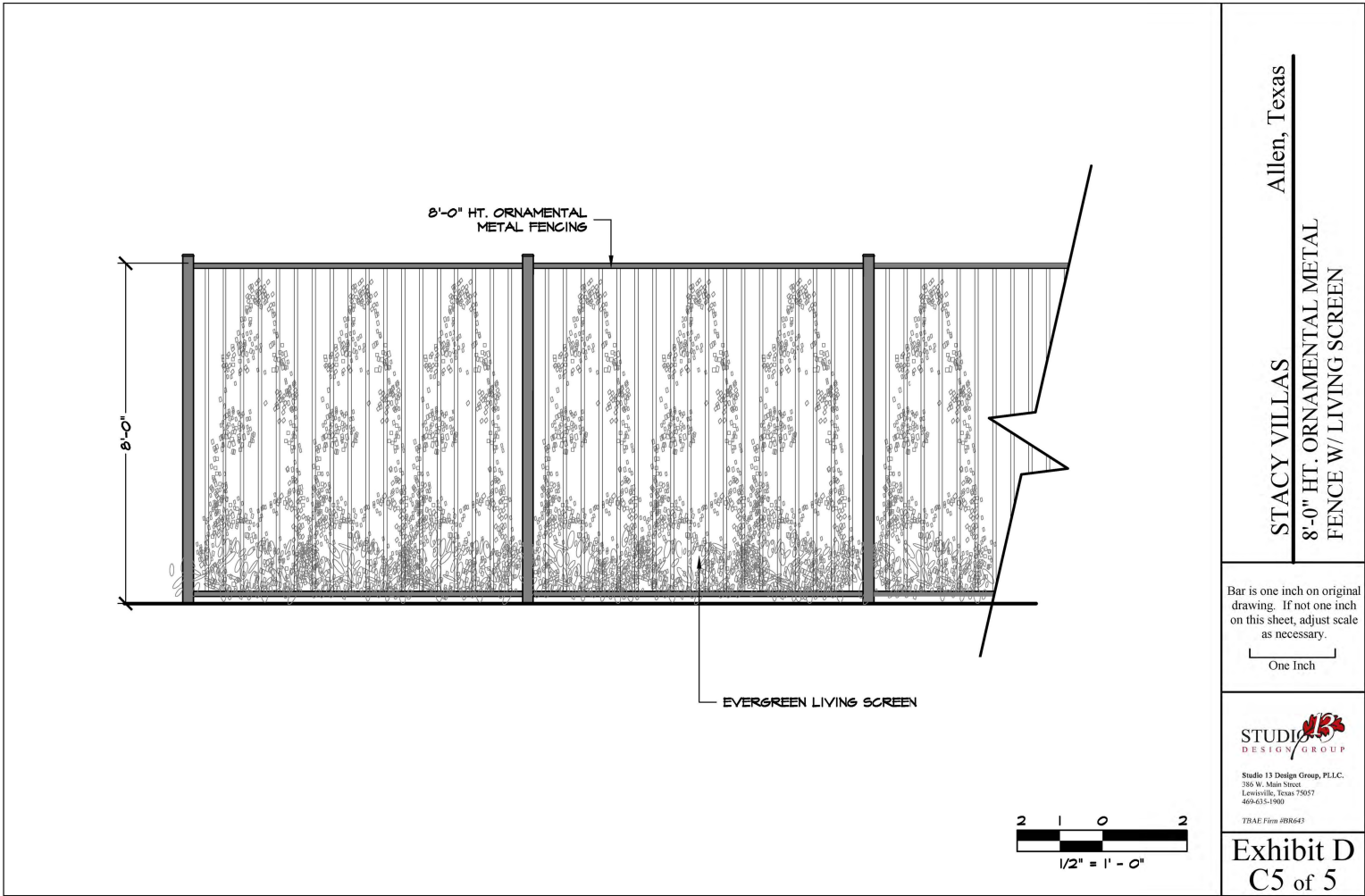


EXHIBIT "D"  
HARDSCAPE PLAN cont.